

UTAH DEPARTMENT OF AGRICULTURE  
AND FOOD  
**POLICIES AND PROCEDURES**



MARCH 27, 2013

**UTAH DEPARTMENT OF AGRICULTURE AND FOOD**  
**POLICIES AND PROCEDURES**  
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<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>00.01 PREFACE</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> The purpose of this manual is to set forth the policies and procedures of the Department of Agriculture and Food in reference to state and federal laws.	

The policies and procedures outlined in this manual are to be used by department employees in carrying out their assigned responsibilities. This manual does not include all policies and procedures, but represents a compilation of those considered most useful to the staff. Others may be added, amended, or deleted as conditions change.

By reference, the State of Utah rules affecting state employees are herein included as part of the Utah Department of Agriculture and Food (UDAF) policies and procedures.

When Departmental policies are determined to be in conflict with other state or federal laws or rules, the state or federal laws or rules shall prevail.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>00.02 MISSION STATEMENT AND CORE VALUES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> The objectives and desires of the Department.	

#### **MISSION STATEMENT**

- Protect and promote Utah agriculture and food.

#### **CORE VALUES**

We value:

- Employees who maintain high professional and ethical standards and take personal responsibility for their actions.
- Leaders who coach, motivate, and support a work environment where employees can develop and achieve their potential.
- Teamwork that promotes individual participation from every member.
- An organizational system with clear expectations, supporting employees in accomplishing their objectives and recognizing their unique qualities.
- Technology that is innovative, current, and practical.
- A healthy working relationship with other local, state, and federal government agencies and agricultural industries.
- A safe, wholesome, and sustainable food supply.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>01.01 ACCOUNTS RECEIVABLE</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Department policy defines accounts receivable as "a service performed or goods supplied on a given day without monetary acceptance on that given day." When an account receivable is initiated, the Division Director over such service/goods will complete an invoice and submit this form to the Division of Administrative Services.	

#### **PREPARATION AND DISTRIBUTION**

- The division rendering services will initiate and prepare an RE in state FINET System.
- Each division will enter the data as an RE into the FINET system and place on hold for audit and approval by the division of Administrative Services.
- Each division will print and mail the invoice (RE) and also provide a copy of the RE document to Administrative Services Division, for filing until appropriate payment is received. Administrative Services will then assign the appropriate coding and return to each division for filing.

#### **DELINQUENT ACCOUNTS RECEIVABLE**

- Administrative Services Division call on past due notices.
- The Division of Administrative Services will contact each Division Director for identification of delinquent accounts to be sent for collection. An original Cash Receipt (CR) is modified and an invoice (RE) is entered into FINET for the face value of the check plus \$15.00 non sufficient fund (NSF) fee. Administrative Services will collect on past due notices and NSF checks for 160 days. After 160 days collection efforts will be sent to the Office of Debt Collection.

#### **BAD CHECKS**

Checks are automatically re-deposited by our bank. If a check is still not honored on a second try the bank sends the check to the agency. A copy of the check is given to the affected Division Director for information only. A receivable is set up for the face value of the check plus the approved service charge. Upon receipt of funds from the customer, the cash is applied against the receivable by entering a positive cash receipt in FINET.

#### **Overpayments**

Any overpayment received for payment of goods, services or licenses, etc. will be deposited to the appropriate program to insure appropriate process of reimbursing clients as deemed necessary and approved by each division director.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>01.02 AT&amp;T CALLING CARDS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> To establish department policy regarding the authorized use of AT&T Calling Cards.	

This policy applies to all employees in the UDAF using department issued AT&T Calling Cards. AT&T Calling Cards shall be used for UDAF business only. Official business is defined as any call authorized for reimbursement under DAS-Finance policy FIACCT 13-06.00. Personal calls charged to Agriculture Department calling cards shall be subject to the dollar limits set by said policy. Except as defined in the DAS-Finance Policy, use of department calling cards for personal purposes or calls other than division related long distance calls, is prohibited.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>01.03 CASH RECEIPTS AND MAIL</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Outlines the mail handling procedures including checks, cash, applications, and brand and grain inspection.	

#### **ALL MAIL WILL BE OPENED**

All mail will be opened, except for those on a priority list. (This priority list will be for the Commissioner and Division Directors.) All mail with checks/cash will be batched by date of receipt and processed for deposit with the State Treasurer. All mail without checks will be distributed to the proper divisions.

#### **MAIL WITH CHECKS/CASH**

Mail with checks/cash inside will be batched on a daily basis and deposited into the proper account in each division. If cash is received, the central cashier will fill out a temporary receipt and process the cash along with the checks in the daily batch. The temporary receipt will be forwarded to the division with the batch control sheet. Each day the batch control sheet with the supporting documents for the payments will be sent to each division.

#### **RECONCILIATION**

Each batch should be reconciled daily. Each document will include the coding used for deposit. If the coding is incorrect, the batch control sheet with the incorrect documents should be returned to central cash receipts for correction.

#### **APPLICATIONS**

The division will be responsible to accept or reject the applications. If the application is accepted, it must be stamped with an approved stamp and processed for licensing or registration. If the application is rejected, then a letter of rejection must be sent to the person making the application asking for remittance of the missing item(s) needed to further process their application. The monies for the rejected applications will be deposited into the proper account. If it is determined that the monies should be refunded, then a refund form should be processed by the division responsible.

#### **REJECTED APPLICATION FILES**

Each division should keep a pending file for all rejected applications. When requested monies are received, they will be processed for deposit. When the missing information is received by the division, the application should be removed from the pending file and processed for licensing or registration.

#### **BRAND INSPECTION**

The Brand Inspection certificate will serve as the temporary cash receipt, and monies will be collected by the Brand Inspector. Biweekly, the Brand Inspectors shall mail



all collections, along with the brand inspection certificates. The collections will be audited by the central cashier.

#### **GRAIN INSPECTION**

All monies for grain inspection services rendered are received directly by the Administrative Services Division at the Central Office in Salt Lake City.

When money is received, receipted, and posted to the Central Office Accounts Receivable System, photocopies of receipt document are to be sent weekly to the Grain Inspection Office in Ogden for use in up-dating the Grain System in preparation for printing the next monthly statements.

Money will be collected and a temporary receipt issued at the time of Grain Inspection Service for ALL clients without an Open Approval Account.

#### **PERSONAL MAIL**

Employees receiving personal mail through this business address should be aware that all mail WILL be opened. They should be encouraged to have personal mail sent to their home if they are concerned about others seeing it. When sending personal mail insure proper postage is used.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>01.04 FEDERAL GRANTS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> The procedures for requesting Federal Assistance in the form of Grants.	

#### **REQUESTS**

- All requests for Federal Grants will be processed through Administrative Services Division for proper tracking and assistance in the Executive Order 12372 or A-95 process when required.
- Requests must include the Federal Assistance Form (Standard Form 424).
- Divisions concerned with requesting Federal monies are responsible for the completion of the Federal Form 424.
- The Accounting Officer may assist divisions in completing the financial portions of the Request for Federal Assistance.
- If it is required that the Request for Federal Assistance be processed through the Federal Executive Order 12372 or A-95 process, the Director of Administrative Services or designee serves as the department coordinator for this process.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>01.05 FIXED ASSETS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> The acquisition, transfer, and storage of fixed assets.	

### **Administrative Services Division Responsibility**

#### **Procedures for Acquisition of Assets**

- Place inventory numbers on all equipment (Fixed assets with a useful life of one (1) year or more.) purchased for Administrative Services Division, administration, and computer equipment purchased by the department data processing coordinator.
- Annually send a copy of each division's inventory to the Director.
- Issue Fixed Asset Tag Number Accountability Record with tags to each division. Maintain a master log so there is individual responsibility for tag numbers issued.
- Take accountability record from division secretaries **quarterly (1<sup>st</sup> week of July, October, January and April)** to update the FINET fixed asset system, and then return accountability record to fixed asset secretary.
- Division of Administrative Services will carry out an annual physical audit of department fixed assets in compliance with state rules.
- Division of Administrative Services will be responsible for maintaining the master inventory file on all capital equipment and will ensure that all capital purchased equipment are tagged and entered into FINET.

#### **Procedures for Transfer of Fixed Assets**

- Provides Fixed Asset request to transfer forms to divisions. These were given to secretaries for placement in their department secretary's handbook. Provides replacement copy when division's master copy has been lost or destroyed.
- Received fixed asset request for transfer forms from divisions and updates FINET fixed asset system with changes.

#### **Procedures for Surplus of Fixed Assets**

- Completes SP-1 for fixed assets being surplus by administrative services, administration, and data processing coordinator.
- Receives completed SP-1 surplus forms from divisions. Ensures these are properly filled out with initials of Division Director. Gets Administrative Services Director's signature on Signature of Division Head or Authorized Agent line on SP-1.

- Sends completed SP-1 to Surplus Property.
- Matches Utah State Agency for Surplus Property Payback sheet assets sold with SP-1's submitted.
- Prepared FD transaction in FINET for removal of asset from fixed asset record. Fixed Asset Accountant does first approval; Administrative Services Director does second approval.

#### **DIVISION'S RESPONSIBILITY**

##### **Procedures for Assignment of Fixed Asset Clerk**

- Assign a fixed asset clerk for the division.
- Inform the department Fixed Asset Accountant of all fixed assets clerks for each division. Inform them of changes of the division's Fixed Asset Accountant as they occur.

##### **Procedures for Acquisition of Assets**

- Place inventory numbers on all equipment (fixed assets with a useful life of one (1) year or more) purchased for the division. After asset is tagged, the secretary fills in Fixed Asset Tag Number Accountability Record with information regarding the asset to be tagged. Computer equipment is purchased by the Data Processing coordinator, who also will tag the same equipment. The division secretaries do not need to tag the assets previously tagged by the Data Processing coordinator.
- The Fixed Asset Accountant will annually take an accountability record from the division secretary to update FINET, and then return accountability record to the division secretary.

##### **Procedures for Transfer of Fixed Assets**

- **Procedures for Completing Fixed Asset SP-1 Form**
  - Access form electronically by going to Finance E-forms, Category General Services, Forms SP-1 Surplus Property.
  - Fill out form on screen using division's administrative org, appropriation unit, and Revenue Code 2777.
  - Division Director must sign SP-1.
  - Turn in signed SP-1 to department Fixed Asset Accountant, who will forward this form to surplus property through inter-department mail.
- **Storing Assets**  
Place asset in basement, adjacent to elevator, in the east half of area. Asset must not extend more than five feet from the wall into the parking garage. If not enough space is available or asset is one which surplus manager deems easy to steal, hold asset on station and inform Fixed Asset Accountant of location of asset

to be surplussed. Fixed Asset Accountant will need access to the location of the asset if it is secured, in the case of an unannounced surplus property pick-up.

- **Reallocation of Assets**

Assets will be reallocated on an as needed basis, not first come first serve. This is to avoid a conflict of interest between the person who first indicated need for the asset, and other possible more pressing needs within the department. Where the asset goes will be decided after deliberation between interested parties within the department. Administrative Services Director will have final say. This person is the manager of the division responsible for fixed assets and is the person who is ultimately responsible for what happens to all department fixed assets.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>01.06 PAYMENTECH AND CREDIT CARDS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Policies and procedures for use of paymentech and credit cards. Includes information on lost, stolen, and terminated cards and the Administrative policy review.	

#### **PROCEDURES FOR THE USE OF CREDIT CARDS**

- State Departments may request Paymentech cards (P-cards) for employees to use on State business.
- Paymentech cards are issued in the name of the employee, with no fee charged to the state or the employee, and should be used for the payment of all OFFICIAL STATE BUSINESS travel expenses. These cards should NOT be used for paying personal non-official expenses. The privilege of use of the card will be withdrawn and appropriate disciplinary action will be taken against any employee who misuses the card. The monthly bill for the Paymentech card is sent directly to the employee named on the card. It is the employee's responsibility to ensure that the reimbursement is requested as soon as practical and the bill paid on time.
- Lost or stolen cards should be reported immediately to Paymentech at 1-800-270-7760 or Nanette Moyer, State Finance, 1-801-538-3020. A replacement card may be requested at that time and will be sent directly to the employee. If employee cannot find Paymentech number call the Mastercard 800 number found in the phone book. Ask for First USA Paymentech and cancel the card. The employee is NOT liable for any charges made on the card AFTER it has been reported lost or stolen.
- Upon termination, the employee must return the Paymentech card to the department. The department will destroy the card and notify State Finance. During this period, the State is only liable for the official travel expenses that have not been reimbursed. The employee will reconcile the final Paymentech billing and make the final payment.
- Upon termination of privilege of an employee, the department will notify Paymentech that the card is no longer needed, obtain the card from the employee, and destroy it. The employee will reconcile the final Paymentech billing and make the final payment.

#### **REVIEWS**

It will be the responsibility of the Administrative Division to review the monthly reports for employee compliance with this policy. This should include a review for any past due amounts.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>01.07 PETTY CASH FUND PURCHASES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Defines the policies of the UDAF regarding petty cash funds, including allowed and prohibited expenditures and purchasing procedures.	

#### **BACKGROUND**

The petty cash fund is an account into which a fixed amount of money is placed for the purpose of minor disbursements. As disbursements are made, a voucher is completed to record the date, amount, nature, and purpose. At periodic intervals, or when the petty cash fund is completely expended, a report with substantiating vouchers is prepared and the account is replenished for the exact amount of the disbursements, and appropriate general ledger must at all times equal the total fixed amount of money set aside in the imprest account.

#### **ALLOWED EXPENDITURES**

Expenditures from petty cash funds are limited to purchases of supplies or services in amounts less than \$50.00 that are not available on state purchasing contract/grants or through the state contract/granted supply source. This avoids the more costly processing of Warrant Requests.

#### **UNALLOWABLE EXPENDITURES**

Petty cash funds may not be used for beverages, employee travel or wages, cashing of personal checks, loans (IOU's) to employees, or others or utility bills.

#### **PETTY CASH PROCEDURES**

##### **Petty Cash Reimbursement**

All purchases should be authorized by supervisor in advance. The Division Director or supervisor will sign the sales receipt after the purchase is made. The purchaser must complete a reimbursement slip (which includes the low org number, account code, and activity number) to be signed by the petty cash custodian.

##### **Petty Cash Advance**

If requesting petty cash in advance of the purchase, a reimbursement slip must be signed by the Division Director and/or designee. After the purchase is made the sales receipt and any change must be returned to the petty cash custodian within 24-hours.

#### **P-CARDS**

If an employee has been assigned a P-card, the card should be used prior to requesting petty cash.

#### **PURCHASES BETWEEN \$25.00 AND \$500.00**

### **Prepare Requisition**

Have Division Director approve purchase and submit form to Administrative Services for approval and Purchase Order Number. If approved by Administrative Services, the division will receive two copies of the purchase requisition with the assigned PO number. One copy to be given to the vendor; the second copy will be stamped with the receiving report and should be held by the division until all items have been received. Upon receipt of the PO number, the division is responsible to place the order with the vendor. **Exceptions: ALL DATA PROCESSING ITEMS WILL BE PROCESSED THROUGH THE DEPARTMENT'S DATA PROCESSING COORDINATOR.**

### **Receiving Report**

When the item is received, the receiving report must be completed and returned to accounts payable. The person receiving the items must sign the first line, documenting the date of receipt. The Division Director must sign the second line to approve payment.

### **Invoices**

All invoices should be sent directly to accounts payable. If the invoice is sent to the division, it should be forwarded to accounts payable. If the receiving report has not been received by accounts payable, the invoice will be held for payment until the receiving report has been received. When both documents have been submitted with proper signatures (receiving person and Division Director) to accounts payable, a warrant request will be processed.

### **PURCHASES BETWEEN \$500.00 AND \$2,000.00**

- Purchases in this category are made on a requisition form, filled out by the requesting division.
- **Obtain item(s) at surplus. If not available,**
- **Obtain item(s) through the state contract/granted supply source or Correctional Industries. If not available,**
- **Obtain item(s) on statewide contract/grant. If not available,**
- **Policies on Obtaining Item(s)**  
Obtain at least three bids using the same specifications. Prepare a telephone quote sheet, listing vendors contacted, prices quoted, telephone number, and person contacted. Using the lowest bidder and abiding by the specifications, prepare a Restricted Purchase Order. Follow the procedures as listed in **PURCHASES BETWEEN \$25.00 AND \$500.00.**

### **PURCHASES BETWEEN \$2,000.00 AND \$8,000.00**

- Purchases in this category are made on a requisition form, filled out by the requesting division and must be sent to State Purchasing for bidding. The items



should be purchased as follows:

- **Obtain item(s) at surplus. If not available,**
- **Obtain item(s) through the state contract/granted supply source. If not available,**
- **Obtain item(s) on statewide contract/grant. If not available,**
- **Purchase Requisition**  
Prepare purchase requisition listing all functions and specifications required, and submit a list of available sources. After Division Director has approved the purchase, submit requisition to Administrative Services for approval. If approved, Administrative Services will submit requisition to State Purchasing for bidding.
- **Bid Review**  
After all bids have been received by State Purchasing, a **comparison sheet** is prepared by State Purchasing and sent to the agency/division. The division is responsible to review each bid and make sure the low bidder can supply them with the correct items. If not, the division must prepare a **justification statement**, to be sent to purchasing, as to why they do not want to give the bid to the lowest bidder. When the final bid is awarded, State Purchasing will issue a purchase order and will place the order.
- **Receiving Report**  
State Purchasing sends the actual purchase order to Accounts Payable with the receiving report and release for payment. When the item(s) have been received, the receiving report and release form must be completed by the division and signed for payment by the Director of Administrative Services. The completed purchase order and all invoices will be sent to Finance for payment processing.

#### **PURCHASES OVER \$8,000.00**

Purchases in this category must be initiated by the Division Director. A purchase requisition filled out by the requesting division must be sent to State Purchasing for bidding. The items should be purchased as in section **PURCHASES BETWEEN \$2,000.00 AND \$8,000.00**.

#### **PURCHASES UNDER \$8,000.00 ON STATEWIDE CONTRACT/GRANTS**

The state enters into contract/grants with vendors because it can get better prices with little procedural involvement. Contract/grant expiration dates vary and approval from purchasing is not required to make purchases. However, if an item is on State Contract/grant, you **MUST** purchase the item(s) from that vendor. **Exceptions to this must be approved in advance and in writing by Purchasing.**

#### **PURCHASES FROM SOLE SOURCE**

- Occasionally only one type of commodity can be used, or can only be purchased from one vendor. State Purchasing must give approval in advance to purchase items from a Sole Source. If the item is ordered several times a year, approval should be requested for present and future needs.
- Determine that only a unique product and/or unique vendor can be used and submit a purchase requisition indicating a Sole Source Purchase to Administrative Services. Attach a justification statement as to why only one source can be obtained.
- If the request is approved by the Director of Administrative Services, the request will be sent to State Purchasing for approval. If the request is approved by State Purchasing, a purchase order will be issued and they will place the order.
- Proceed as per section **PURCHASES BETWEEN \$2,000.00 AND \$8,000.00**.

#### **EXCEPTIONS**

There may be extenuating circumstances, which require exceptions to the above procedures. Any exceptions to the above procedures must be requested in writing to the Director of Administrative Services. A return written approval must be received BEFORE divisions may initiate purchasing outside these procedures.

#### **PURCHASES OVER \$10,000.00**

Purchases over \$10,000 on statewide contract/grants, or capital outlay purchases over \$10,000 must have prior approval from the Director of Finance. All data processing purchases for \$5,000 - \$10,000 must receive approval from the State Data Processing Coordinator. Data Processing purchases over \$10,000 must receive approval from the State Data Processing Review Committee.

<p align="center"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b>  <b>01.08 PURCHASING CARD PROGRAM PROCEDURES</b></p>	
<p><b>EFFECTIVE DATE:</b> November 1, 2000</p>	<p><b>REVISION DATE:</b> July 1, 2007</p>
<p><b>SUMMARY:</b> The following policies and procedures are applicable to the UDAF in the use of the State of Utah Purchasing Card Program. These are procedures in addition to the required State Purchasing Card Program policies and procedures.</p>	

## **BACKGROUND**

The Division of Purchasing and General Services in the Department of Administration Services administers the State of Utah Purchasing Card Program. The Division of Administrative Services Division within the UDAF administers and coordinates the program.

The Purchasing Card is an alternative method for purchasing and processing payment for certain transactions.

State Purchasing has contracted with US Bank to issue Visa cards (referred to as P-cards) to department-approved employees. All State and Department purchasing policies and procedures remain in effect. The P-card cannot be used for travel costs.

The P-card is assigned to an employee (cardholder) who is responsible for submitting monthly supporting documentation with approvals as necessary. The cardholder is responsible for reconciling their receipts to the log sheets prior to submission to the division office. The Division designee will reconcile the monthly VISA statement to the log sheets.

The state policy for this program is located on the Internet at:  
<http://www.purchasing.state.ut.us>

## **OBTAINING PURCHASING CARD**

The Purchasing Card (P-card) application is available from Division of Administrative Services. The application will be forwarded to the Division Director for approval. The Budget Office and Director or designee is responsible for ensuring that the assigned FINET coding written on the application is proper, and for assigning an appropriate purchase limit for the card.

The Division Director may choose any amount below \$2,000 for each individual purchase. If a limit greater than \$2,000 is needed for higher purchases, the Division Director will need to obtain approval from the Division of Administrative Services prior to including the higher limit on the application. The Director of Administrative Services or designee will need to assign a monthly limit for the card.

The approved application will then need to be forwarded by the Division Director to the Division of Administrative Services. Division of Administrative Services will

review the application and forward it to the State Purchasing Division for processing. The Division of Administrative Services will coordinate training with State purchasing and the card applicant. When the training is completed, the cardholder will sign the letter of agreement and receive the purchasing card. A copy of the letter of agreement should be placed in the employee's personnel file. The letter of agreement is then forwarded to the Division of Administrative Services for forwarding to State Purchasing.

#### **CARD PURCHASES**

The card may not be used for services, travel, entertainment, or any product or service normally considered inappropriate use of State funds. **All regular FINET, State Purchasing, Department and State Accounting Policies and Procedures regarding purchasing must be followed.**

The Purchasing Card Log form is the record of information for P-card transactions. Each P-card charge must be documented by recording the date of the transaction, the name of the supplier, what was purchased, purpose of purchase, and the cost. A separate line is required for each purchase.

An itemized receipt must support each transaction. If the purchase is between \$500.00 and \$2,000 and is not on contract a telephone bid sheet must accompany the receipt showing the two price quotations received before the purchase.

The appropriate division will be mailed a monthly statement identifying all transactions made against the card during the previous monthly billing cycle. The statement must be reconciled to the Purchasing Card Log and receipts by the appropriate division within three (3) working days of receiving the mailed statement. A copy of the statement and log should be retained by the appropriate division until the next billing cycle as back up for the original documentation. The log and the envelope of receipts must be forwarded to the supervisor or designee for review and approval. The supervisor or designee will review and reconcile the receipts to the log sheet and forward to the Division of Administrative Services for processing through FINET. The statement, log sheet and receipts are to be in the possession of the accounting technician **no later than the 22<sup>nd</sup> of the month.**

#### **TERMINATION OF P-CARD**

The employee is responsible for the security of the purchasing card and all transactions made with the card. The card is issued in their name, and all purchases made with the card must be by that employee. Failure to comply with the guidelines established by this program may result in cancellation of a p-card and or severe consequences, up to and including termination of employment.

Failure to comply with Department P-card procedures regarding timeliness may result in loss of the card.

When an employee terminates or transfers to another agency, the card must be retrieved by the cardholder's supervisor and forwarded to the Division of Administrative Services. This should be part of the exit interview process when an employee terminates. The Division of Administrative Services will notify the State Purchasing Card Program Administrator of the cancellation. State Purchasing will notify US Bank.

#### **TELECOMMUNICATION CHARGES**

An optional use for the P-card is the payment of telecommunication charges. The P-card may be used for telecommunication charges (for cellular/digital phones and pagers) when the Department is appropriately responsible for directly paying the vendor. Rather than having each use of the telecommunication device have a separate P-card issued, Division of Administrative Services may assign an individual responsible for ensuring proper payment of a group of telecommunication devices. This optional use of the P-card is still subject to all other required Department P-card procedures such as the use of the log, obtaining receipt document, etc. Additionally, other Department procedures or instruction provided by the Administrative Services Division related to telecommunications such as review of charges and reimbursement of personal charges are still applicable.

#### **INTERNET AND OFFICE DEPOT**

Only appropriate approved divisions can use the P-card for Office Depot purchases over the Internet. If the cardholder desires to use the P-card for purchases with Office Depot over the Internet, the cardholder will need to contact the Division of Administrative Services for proper procedures. Care should be taken that Office Depot invoices paid by the P-card are not confused with the other Office Depot invoices, which require payment through FINET. The Office Depot invoices which are paid through the P-card will look the same as the other Office Depot invoices except for having VISA shown on the bottom of the invoice next to the word payment.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.01 ACCIDENTS AND INJURIES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Procedures for recording injuries and illnesses, as well as obtaining worker's compensation.	

#### **WORK-RELATED ACCIDENTS AND INJURIES**

An injury or illness is considered work related if it occurs in the work environment (defined as any area on the employer's premises, e.g. worksite or company cafeteria). The work environment surrounds the worker wherever they go - in official travel, in dispersed operations, or along regular inspection routes.

All work-related fatalities must be recorded.

All diagnosed work-related illnesses must be recorded.

All work-related injuries requiring medical treatment or involving loss of consciousness, restriction of work or motion, or transfer to another job must be recorded.

Workers Compensation requires form #122 be submitted by the supervisor or designee when an employee reports an injury or illness. The supervisor will submit the report to the Human Resource office where it will be reviewed for completeness. The Human Resource office will enter the information on the employee report of injury via the Internet. Worker's Compensation will e-mail a confirmation of the claim received with an attachment of the completed form #122 for filing. The Human Resource office will send a copy of the submitted claim to the employee. A copy of the claim is also transmitted via the Internet automatically to:

- The Industrial Commission
- The Division of Risk Management

Employees and employers are responsible for following any guidelines, laws, or rules in regards to Workers Compensation and the Americans with Disabilities Act.

The department has an Americans with Disability Act (ADA) coordinator assigned to make accommodations for employee's worksite or other needs. Employees requiring accommodations may do so by making a request through their supervisor.

#### **TRAFFIC ACCIDENTS**

Please refer to 07.06 Safety Policies and Procedures.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.02 AMERICANS WITH DISABILITIES PROCEDURE</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Departmental procedure to ensure the rights and privileges of individuals with disabilities in compliance with Title 11 of the Americans With Disabilities Act.	

The department has adopted and defined compliant procedures, R51-4, to provide for prompt and equitable resolution of complaints filed in accordance with Title 11 of the Americans With Disabilities Act, pursuant to 28 CFR 35.107, July 1, 1992 edition.

No qualified individual with a disability, by reason of disability, shall be excluded from participation in or be denied the benefits of the services, programs, or activities of this department, or be subjected to discrimination by this department.

Employees requiring assistance may contact Human Resource Department Designee for our department.

<p style="text-align: center;"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b>  <b>02.03 CONFLICT OF INTEREST</b></p>	
<p><b>EFFECTIVE DATE:</b> September 12, 2011</p>	<p><b>REVISION DATE:</b> September 12, 2011</p>
<p><b>SUMMARY:</b> Departmental policy to prevent employees from engaging in secondary employment or outside activities that may hinder the employee from effectively performing his/her Department assigned duties or create, have a potential to create, or be perceived by the taxpayers and/or the Department's customers as having a potential for creating a conflict of interest.</p>	

Employment with the Department shall be the principal vocation of full-time employees. Full-time employees shall not accept part-time employment of any kind which could result in a direct conflict of interest. (Department of Human Resource Management Rule R477-9 and UCA 67-16-1 et. seq.)

**Guidelines:**

1. There are several factors which determine if there is a conflict of interest. Any one of these factors by itself may constitute a conflict.
  - a. Being engaged in work for an outside employer during the same hours one is scheduled to be working for the Department.
  - b. Disclosing information acquired by reason of Department position for personal or another's private gain or benefits.
  - c. Using, or attempting to use, Department position to secure special privileges or exemptions for self or others.
  - d. Accepting employment which would impair independence of judgment in the performance of public duties in a Department position.
  - e. Engaging in a business venture or working for an organization which is conducting business with the Department/State.
  - f. Finding oneself incapable of performing at full capacity in a Department position because of fatigue, anxiety, or other impairments caused by outside employment.
  - g. Using state position or any influence of power, authority or confidential information they receive in their position, or state time, equipment, property, or supplies for private gain.
  
2. Employees shall not receive outside compensation for their performance of State duties except in cases of:
  - a. Awards for meritorious public contribution.
  - b. Receipt of expenses paid for papers, speeches, demonstrations, or appearances made on the employees own time with the approval of agency management, which are not compensated by the state or prohibited by rule.



- c. Usual social amenities, ceremonial gifts or insubstantial advertising gifts.
- 3. Employees shall declare a potential conflict of interest when they are required to do or decide something that could be interpreted as a conflict of interest. Agency management shall then excuse the employee from making decisions or taking actions that may cause a conflict of interest.
- 4. Employees shall notify agency management and request approval to participate in outside activities if:
  - a. Outside employment has potential negative affects on employee work, work conduct or productivity.
  - b. Outside employment has the potential or appears to be in conflict with UCA 67-16-1 et. seq.
- 5. Agency management may deny employees permission to engage in outside employment or to receive payment if management determines the outside activity causes a real or potential conflict of interest.
  - a. Employees may grieve this decision to the immediate supervisor or appropriate Division Director.
  - b. Failure to notify employer and to gain approval for outside employment is grounds for disciplinary action if the secondary employment is found to be a conflict of interest.

Procedures:

- 1. The Conflict of Interest Clearance Form must be submitted and signed by the employee in the event a potential conflict of interest arises. For any outside employment, this form must be completed. Management shall review and work with the employee to resolve any conflicts.
- 2. The original Conflict of Interest Clearance Form shall be retained in the employee's personnel file.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.04 DRESS STANDARD</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Appropriate dress to convey the respectable and professional status of the Department.	

All employees should exercise good taste in the attire they wear to work. Appropriate apparel is important in order to convey to our clientele that we are professionals and proud to be employees of the UDAF. In addition, it helps establish a pleasing atmosphere in the workplace.

Some divisions have established their own dress code for inspectors, which may or may not include some form of identifiable uniform or insignia.

The goal is to have employees dressed appropriately for the type of work they perform, for the working environment, and for the situation; e.g. a meat inspector requires different apparel than a secretary.

For a pleasant working atmosphere, good hygiene practices should be part of employees' daily routines.

<p style="text-align: center;"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b>  <b>02.05 HUMAN RESOURCES – EDUCATION ASSISTANCE</b></p>	
<p><b>EFFECTIVE DATE:</b> November 1, 2000</p>	<p><b>REVISION DATE:</b> February 7, 2013</p>
<p><b>SUMMARY:</b> This policy establishes an Education Assistance Program and the policy and procedures for utilizing education assistance by employees. The Department of Agriculture and Food’s Education Assistance Program is consistent with the State of Utah’s Department of Human Resource Management Rules, Department of Administrative Services’ Division of Finance policies, and Section 127 of the Internal Revenue Code.</p>	

## I. DEFINITIONS

- A. **Career Service Employee:** An employee who has successfully completed a probationary period in a career service position.
- B. **Career Service Exempt Employee:** An employee appointed to work for a period of time, serving at the pleasure of the appointing authority, who may be separated from state employment at any time without just cause.
- C. **Career Service Exempt Position:** A position in state service exempted by law from provisions of career service under Utah Code 67-19-15.
- D. **Career Service Status:** Status granted to employees who successfully complete a probationary period for career service positions.
- E. **Passing Grade:** A letter grade of C- or better, “pass” in a pass/fail grading system, or other official written documentation from the school or educational entity showing the employee’s successful completion of coursework.
- F. **Probationary Employee:** An employee hired into a career service position who has not completed the required probationary period for that position.

## II. POLICY

- A. The Utah Department of Agriculture and Food (UDAF) is supportive of employees improving their education and training by attending courses offered by accredited colleges/universities and other educational entities.
- B. The Education Assistance Program allows eligible employees to request approval for reimbursement of education expenses for coursework which will satisfy development needs of the employee and which will benefit UDAF and the State.

- C. Reimbursable education expenses include tuition, books, and fees only.
- D. Full-time probationary, career service, and career service exempt employees (excluding Schedules IN and TL) who have been employed with UDAF for at least one year, receive benefits, and have achieved a successful or better rating on the most recent performance evaluation, and have not received any form of corrective or disciplinary action in the year prior to the request for assistance, may be eligible for education assistance.
- E. Education assistance may be approved at management discretion. It is neither an employee right nor a guaranteed benefit.
- F. When an employee is directed by management to participate in an educational program, UDAF shall pay the costs, and it is not considered part of the Education Assistance Program.
- G. Education assistance approval considerations by management shall include the:
  - 1. availability of funds
  - 2. number of employees requesting education assistance
  - 3. employee's position schedule (career service or career service exempt)
  - 4. employee's workload
  - 5. employee's work performance status
  - 6. job relevance and benefits of the coursework to the employee and UDAF
- H. Prior approval is required and an Education Assistance Contract must be completed before the approved coursework begins.
- I. An employee may receive education expense reimbursement for up to 75% of the qualifying employee paid education expenses per course, and up to a maximum of \$5,250 per calendar year. Reimbursement shall be counted for the same calendar year in which the coursework was completed.
- J. An employee approved for education assistance shall disclose all scholarships, subsidies, and grant monies, etc., provided to the employee for the education coursework or program.
- K. Only education expenses that must actually be paid by the employee, minus any scholarships, subsidies, or grant monies, etc., are eligible for reimbursement by UDAF.
- L. Reimbursement will only be provided for coursework successfully completed with a passing grade, per the Education Assistance Contract. The Contract shall be voided for any coursework not successfully completed by the employee.

- M. UDAF management may approve the use of annual leave, converted sick leave, excess hours, or compensatory time, and/or an adjusted work schedule to attend classes by an employee on an approved Education Assistance Contract. Employees will NOT be given administrative leave-with-pay to attend classes.
- N. An Education Assistance Contract may be terminated by either party by submitting a termination notice in writing.
- O. The employee shall submit the required documentation for reimbursement within 30 calendar days after the completion date of the course or the Education Assistance Contract will be voided and UDAF will not provide reimbursement.
- P. If the employee voluntarily terminates employment with UDAF within one year of the completion date of the coursework, the employee shall be required to repay 100% of any education assistance received. If the employee voluntarily terminates employment with UDAF within two years of the completion date of the coursework, the employee shall be required to repay 50% of any education assistance received.
- Q. Only the UDAF Commissioner may make exceptions to this policy upon review of a written exception request by management.

### **III. PROCEDURES**

- A. An eligible employee requesting education assistance shall complete page one of the Education Assistance Contract and submit the entire contract to the employee's supervisor for review and approval. The request must be completely approved and all signatures obtained before the beginning of coursework.
- B. If management is requesting a policy exception, the Education Assistance Contract shall be submitted to the UDAF Commissioner for review and approval.
- C. Within 30 calendar days after the completion date of the coursework, the employee shall submit the following documentation to the supervisor in order to be reimbursed for the approved education expenses. Failure to timely submit the documentation will result in a voided contract and non-reimbursement of the expenses.
  - 1. A copy of the Education Assistance Contract, including all signatures
  - 2. A completed Division of Finance form FI-48, Employee Reimbursement/Earnings Request
  - 3. Official receipts showing the employee paid the tuition, books, and fees for the course
  - 4. A report card, transcript, or other official documentation showing the employee successfully completed the course with a passing grade

- D. Funds to reimburse employees for education assistance are paid from the administrative unit where the employee works.
- E. The Administrative Services Director shall maintain a record of supporting documentation and expenses reimbursed to the employee for post audit review.
- F. A copy of the reimbursed Education Assistance Contract shall be submitted to the Human Resource office for placement in an Education Assistance Program file.

# DEPARTMENT OF AGRICULTURE AND FOOD

## EDUCATION ASSISTANCE CONTRACT

Made and entered into between the Utah Department of Agriculture and Food, Hereafter referred to as UDAF, and Employee: \_\_\_\_\_  
 EIN: \_\_\_\_\_, Hereafter referred to as EMPLOYEE.

Whereas, the EMPLOYEE requests education assistance from the UDAF Education Assistance Program, the EMPLOYEE and UDAF agree that UDAF will reimburse education costs as described in the contract for the course(s) listed below. (Attach documentation for any additional courses.)

Course title and number (if applicable) Undergraduate or graduate (if applicable)	School name or other entity	Semester or other start and end dates	Details	Costs
			Amount billed	
			Minus funding from other sources	
			Amount paid by Employee	
			Amount submitted for reimbursement	
Course title and number (if applicable) Undergraduate or graduate (if applicable)	School name or other entity	Semester or other start and end dates	Details	Costs
			Amount billed	
			Minus funding from other sources	
			Amount paid by Employee	
			Amount submitted for reimbursement	

NOW THEREFORE, it is agreed by and on behalf of the parties hereto as follows:

1. All covenants and agreements herein contained shall be binding upon all parties hereto.
2. This contract may be terminated by either party by submitting a termination notice in writing.

**UDAF certifies that:**

1. It will reimburse the EMPLOYEE \_\_\_\_\_ % [up to 75%] which is \$ \_\_\_\_\_ for the course(s) tuition, books, and fees agreed upon above. No reimbursement will be made without receipts showing the EMPLOYEE paid expenses, and documented proof of passing grades by the EMPLOYEE as defined in the UDAF Education Assistance Program policy.
2. The course(s) agreed upon above will satisfy development needs of the EMPLOYEE and will result in additional benefits to UDAF.
3. The education assistance authorized for the above named EMPLOYEE does not exceed the **\$5,250 maximum** that may be allowed and reimbursed in the calendar year in which the coursework will be completed.

**The EMPLOYEE, by signing this contract, agrees to the following:**

1. That this Education Assistance Contract does not include nor obligate UDAF to provide a computer, computer related or other equipment, nor Internet service provider for the EMPLOYEE to complete educational course work at the EMPLOYEE's home-office or work location.
2. With written approval of agency management, the EMPLOYEE may use State equipment (computer, printer, Internet service, etc.) during **non**-work time of the EMPLOYEE, for the completion of course work. The EMPLOYEE is responsible to pay UDAF for any photo copies or printing done with State equipment.
3. By signing this contract, EMPLOYEE declares to UDAF management that EMPLOYEE is not receiving duplicate financial assistance (such as stipends or scholarships, etc.) at the time of application nor expects to receive such during the calendar year.
4. That the EMPLOYEE will successfully complete the course(s) agreed to above and will provide required documentation for proof of passing grade(s), which is at least a C- or "pass" in a pass/fail grading system, or other official written documentation from the school or educational entity showing successful completion of the coursework by the EMPLOYEE.
5. The EMPLOYEE shall submit the required documentation for reimbursement within 30 calendar days after the completion date of the course(s) or the Education Assistance Contract will be voided and UDAF will not provide reimbursement.
6. That the EMPLOYEE will remain in the employment of UDAF for two (2) full years following the completion date of the above course(s).
7. If the EMPLOYEE voluntarily terminates employment with UDAF for any reason within one year of the course(s) completion date, the EMPLOYEE must repay 100% of the education assistance received. If the EMPLOYEE voluntarily terminates employment with UDAF within two years of the course(s) completion date, the EMPLOYEE must repay 50% of the education assistance received.



8. If the EMPLOYEE fails to repay the education assistance amount, the State of Utah is authorized to withhold from the EMPLOYEE'S paycheck the amount of education assistance to be repaid.
9. The EMPLOYEE will comply with the UDAF Education Assistance Program policy.

IN WITNESS WHEREOF, UDAF management and the EMPLOYEE have caused this Education Assistance Contract to be signed by the proper officials thereunto duly authorized.

_____ Employee	_____ Date
_____ Supervisor	_____ Date
_____ Program Director	_____ Date
_____ Administrative Services Director	_____ Date
_____ Deputy Commissioner	_____ Date
_____ Commissioner (If a policy waiver is approved)	_____ Date

Date reimbursement paid: \_\_\_\_\_

Amount paid: \_\_\_\_\_

Unit/org #: \_\_\_\_\_

Processed by: \_\_\_\_\_

February 2013

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.06 EMPLOYEE CONDUCT</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> The purpose of this policy is to promote ethical behavior by all Department employees. Employees in the Department of Agriculture have an obligation to protect the rights of clients, the public, and other employees, while exhibiting exemplary behavior as state employees.	

#### **RELATIONSHIPS WITH CLIENTS AND THE PUBLIC**

- Employees shall respect and protect the civil and legal rights of clients and the public.
- Employees shall treat clients and the public with respect and in a professional manner, and not abuse them physically, sexually, or verbally by engaging in any language or activity that is demeaning, belittling, or otherwise offensive.
- Employees shall avoid relationships or commitments that would knowingly conflict with the best interests of clients, or the Department.
- Employees shall not use their positions or information acquired through their positions to coerce or otherwise influence clients or the public to provide favors for themselves or others.
- Employees shall not jeopardize the health or safety of fellow employees, clients, or the public.
- Employees shall respect and protect the appropriate confidentiality and privacy of records and information concerning clients. Employees shall not use such information for personal purposes.
- Employees shall not knowingly violate any state or federal laws (including the Government Records Access and Management Act) that specify when and how clients, other agencies, and the public may inspect or copy the Department's records.
- Employees shall not falsify or wrongfully destroy any record, report, or claim or knowingly enter or cause to be entered any false or improper information in Department records.
- Employees shall not purposely withhold from clients accurate and complete information regarding the extent and nature of the Department services available to them.

#### **RELATIONSHIPS WITH OTHER EMPLOYEES**

- Employees shall treat each other respectfully and professionally.

- Employees shall use non-abusive, polite and decent language; this prohibits any language or activity that is demeaning, belittling, or offensive.
- Employees shall respect the religious values and cultural differences of colleagues.
- Employees shall avoid slanderous or malicious gossip.

#### **SUPERVISORY RELATIONSHIPS**

- Supervisors or other administrators shall treat subordinates with respect and dignity.
- Supervisors or other administrators shall encourage and facilitate the professional development of employees.
- Supervisors or other administrators shall not exploit other employees for personal favors or gain.
- Supervisors or other administrators shall not use their position of authority to harass, stalk, discriminate, or become involved in sexual relationships with another employee.

#### **LAWS, RULES AND REGULATIONS**

- Employees shall obey applicable civil or criminal laws, regulations, rules or policy governing their work or professional activities.
- Employees shall not engage in conduct on or off the job that compromises the ability of the employee or agency to fulfill professional responsibilities.

#### **PERFORMANCE OF DUTIES**

- Employees shall maintain and use Department resources and equipment only for intended purposes in the execution of State business.
- Employees shall maintain appropriate approved work schedules.
- Employees shall not engage in any activity that could be considered a dereliction of duty including, but not limited to, abuse of leave, neglect of standard performance, reluctance or negligence to perform assigned duties, inattention to duty, and neglect of responsibilities.
- Employees shall not participate in, condone, conceal, or be associated with dishonesty, fraud, misrepresentation, or theft.
- Employees shall not consume or use alcohol or illegal substances or be under the influence of alcohol or illegal substances while on compensated work time, on State property, or while operating any vehicle while on duty.
- Employees shall not unlawfully manufacture, dispense, possess or distribute any controlled substance or alcohol during work hours, on State property, or while operating any vehicles while on duty.

## **VIOLATIONS**

- If a policy violation appears to involve potential liability for the Department, supervisors shall consult with the Commissioner or Deputy Commissioner and the Department's Director of Administrative Services. When a violation results in an employee corrective or disciplinary action, the employee's supervisor or Division Director shall place documentation of the violation and the resulting action in the employee's official personnel file, consistent with DHRM rules.
- Depending on the circumstances, the violation, and degree of the employee's involvement, the Department may take one or more of the following actions:
  - Corrective Action
  - Disciplinary Action
  - Legal action, including criminal prosecution.

## **SEXUAL HARASSMENT**

- Sexual harassment is prohibited under DHRM Rule 468-16. Sexual harassment is verbal or physical misconduct that is sexual in nature which undermines the integrity of the employment relationship and the dignity of the individual to whom it is directed. Anyone can file a sexual harassment complaint if one finds the conduct to be unwelcome, based on sex, and such conduct creates a hostile or abusive working environment. There is protection against reprisal for anyone who makes a complaint, testifies, assists or participates in any manner in an investigation, proceeding or hearing under DHRM Rule 468-16. However, those who submit malicious or frivolous complaints will also be subject to disciplinary action in accordance with DHRM rules.
- Any state employee who knows of such misconduct shall promptly report the incident to the Commissioner, Deputy Commissioner, or Division Director in accordance with the complaint procedure defined in R468-16 of DHRM rules. The State of Utah and individual employees may be liable for engaging in sexual harassment or for allowing it to occur.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.07 EXERCISE RELEASE TIME</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Provides employees with release time during the day for physical activity.	

Aerobic exercise and other health improvement activities can be a significant factor in preventing disease and improving one's outlook on life. Some studies document that increased energy generated by aerobic exercise increases employee productivity. Therefore, in order to encourage employee participation in exercise and other health enhancing activities, the following policy is issued.

The UDAF encourages all of its employees to engage in a regular program of exercise and health improvement (unless existing medical conditions make such a program inadvisable).

With the written approval of the Division Director, employees who wish to exercise during the work day may be granted thirty minutes per day, for a maximum of three times per week (Employee Request for Exercise Time form). The time for this activity shall be determined by agreement between the employee and their immediate supervisor so as not to interfere with normal work requirements. Supervisors are encouraged to schedule working hours so that any employee who wishes to take an extended lunch hour or otherwise participate in an exercise program may do so. Examples of exercise programs that qualify for approval are structured aerobics, walking, jogging, running and bicycling. Work requirements may occasionally supersede this release from work time.

Supervisors may revoke the exercise program if the time allowed per week is abused or if the time is used for a purpose other than exercising.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.08 HUMAN RESOURCES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Procedures for requesting leave, compensations and guidelines for overtime, educational assistance, hiring procedures, and employee restrictions.	

### **HUMAN RESOURCE POLICIES**

The state has printed the Policies and Procedures for Human Resource Management and is included as part of the department policies and procedures.

### **LEAVE RESPONSIBILITY**

It is the responsibility of the Division Director or appointed supervisor to assure that all leave used within the division is reported according to department policy and state laws and rules.

### **REQUEST FOR LEAVE**

- A request for leave will be appraised by the immediate supervisor. The division should submit to the payroll technician the labor distribution time sheet for each employee (whether or not leave is taken).
- Requests for annual leave, leave without pay, and compensatory leave must be requested and approved in advance. Requests for sick and death emergency leave must be reported to immediate supervisor.
- The leave secretary will keep the official record of each employee's leave. Employees may inspect their leave records upon request. Supervisors may inspect leave records of those individuals they supervise.
- It is the responsibility of the Division Director or appointed supervisor to make certain that leave taken within their division is taken and reported within state and department guidelines and that proper leave requests on time sheets are submitted to the Administrative Services payroll coordinator.
- Leave without pay must be submitted in writing and a copy attached to the time sheet. The leave secretary will be responsible for assuring that this leave is properly noted on the payroll.

### **OVERTIME**

- In emergency situations only, management may request an employee to accept extra work on an overtime basis. Agency determination of overtime needs is subject to post audit by the director.
- Employees shall be eligible for compensatory time when they exceed 40 actual hours worked.

- Compensatory time is established for each class title and is identified in the Class Codebook as “N” (FLA. non-exempt) or “E” (FLA. exempt). Effective October 15, 1985.
- Non-exempt employees will receive compensatory time at the rate of 1-1/2 times for the hours worked at management discretion.
- Exempt employees will receive compensatory time off at a rate equal to the overtime hours worked.
- The Division Director is responsible for approving the accumulation and use of compensatory time in accordance with state regulations.
- All official compensatory time, if earned and used, must be reported on the time sheet submitted.
- Compensatory time should be kept to an absolute minimum, never to exceed an accumulated 80 hours at any given time, being granted only when it serves the best interest of the department, and only with prior approval by the employee’s supervisor.
- All compensatory time must be used as soon as practicable, not to exceed one year from date earned.
- When an employee has unused excess or compensatory time, this time will be used before using any accumulated annual leave.
- Paid comp time for exempt employees require approval from DHRM, and may or may not be authorized.

## **HUMAN RESOURCE: PERSONNEL ACTIONS AND HIRING**

### **Personnel Actions**

The State of Utah has a centralized personnel system. All requests for personnel actions will be submitted in writing to the Human Resource Office. This includes the following forms and procedures:

- Requests for recruitment.
- DPM-9 –Request for Reallocation of Positions or Request for Authorization of New or Additional Positions; Request to review job descriptions or Request for a desk audit.
- Performance Plan.

### **Uniformity**

In addition, the following actions will be handled by the Human Resource office in order to maintain uniformity in the procedures:

- Notification to current employees of existing vacancies.
- Scheduling of interviews for job applicants.
- Letter or calls notifying applicants not selected for appointment.
- Letter or calls notifying applicant appointed.

**Interviews**

A representative from the Human Resource Office will be part of all job interviews, with the exception of screening processes where many applicants are being preliminarily reviewed to narrow the field down to a smaller number of candidates or if scheduling is not convenient or interviews are held outside of the Wasatch front. If the Human Resource office is not part of the interview, all questions asked will be approved by the Human Resource office. The selection decision, however, will rest with the Division Director.

**Fair Employment Practice**

The department adopts by reference DHRM rule R477-2-3 concerning Fair Employment Practices. The fair employment practice representative for the department is the Human Resource Office. Any employee having questions regarding the Fair Employment Practice Policy of the department should contact the Human Resource Office directly.

**VACANCIES WITHIN THE DEPARTMENT**

- When a vacancy occurs within a division, the Personnel Office, and/or Director, Administrative Services should be notified immediately, in writing, so that the hiring process can begin.
- This notification should include: (1) title and grade of the position, (2) salary range at which the position will be filled, (3) location or area covered by the job, and (4) beginning date.
- It is the policy of the department to promote qualified individuals from within whenever possible.

**PERFORMANCE MANAGEMENT PLAN**

- Performance Evaluations are to be conducted from April until mid-June of each year.
- Employee performance appraisals must be reviewed with the employee in person. The Division Director or immediate supervisor (when appropriate) and employee must sign the form.
- It is the responsibility of the Division Director to make certain that the Performance Management Plan Review Form is completed, reviewed, and returned by that date.

**NEW HIRES**

All new hires will meet with the Human Resource Office upon being hired to be oriented to the state's benefit/employment practices. This practice will allow the employee to better understand the department's overall objectives and procedures.



The Human Resource Technician will work in coordination with the employee and supervisor to arrange a time for this meeting.

#### **TERMINATIONS**

- All employees terminating from the department must notify Human Resources. Termination notification should be given to the Human Resource Office in writing, indicating last day of work.
- In the event an employee is being involuntarily terminated, before final notice of termination is given, the employee must be given the opportunity to meet with the Commissioner and provided the grievance process. The Commissioner will sign all letters of dismissal.

#### **NEPOTISM**

- It is unlawful for a public officer to hire, supervise, or make salary or performance recommendations for relatives except as prescribed in the Nepotism Act, 52-3-1 UCA, Amended 1988.
- A public officer supervising a relative shall make a complete written disclosure of the relationship to the Chief Administrative Officer of the agency or institution in accordance with 52-3-1 UCA.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.09 IDENTIFICATION CARDS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Procedures for obtaining the mandatory State Identification card for employees.	

All State employees will carry a State Identification card when in the performance of their job. Procedures for obtaining this card are as follows:

- The director of each division shall set up a time with Department of Technology Services (DTS) for the employee's picture to be taken.
- The employee will obtain card key programmer form from DTS staff for Division Director's approval of building entry.
- The picture will be taken; the card will be laminated and given to employee.
- Upon terminating state employment, the employee must return their ID card to the agency. Failure to do so will result in the withholding of the employee's final paycheck until the card is returned.

<p style="text-align: center;"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b>  <b>02.10 INCENTIVE AWARD AND BONUS PROGRAM POLICY</b></p>	
<p><b>EFFECTIVE DATE:</b> November 1, 2000</p>	<p><b>REVISION DATE:</b> July 1, 2012</p>
<p><b>SUMMARY:</b> The incentive award and bonus program is to encourage, reward, and honor employees for exceptional job performance, cost savings, and to meet targeted human resource requirements, etc.</p>	

## I. POLICY

- A. The Utah Department of Agriculture and Food may recognize and reward eligible individual employees or groups of employees with the following types of incentive awards and bonuses.
  1. Performance based incentive award
    - a. Cash incentive award
    - b. Administrative leave, in lieu of cash
    - c. Certificate of Commendation
  2. Cost Savings Bonus
  3. Market Based Bonus
    - a. Retention bonus
    - b. Recruitment or signing bonus
    - c. Scarce skills bonus
    - d. Relocation bonus
    - e. Referral bonus
  4. Service Award
  5. Retirement Award
  6. Retirement Incentive
- B. This policy is in compliance with Department of Human Resource Management Rules R477-6-5, Incentive Awards, and R477-7-7(1)(c), Administrative Leave, Reward In lieu of Cash, and Department of Administrative Services, Division of Finance rules and procedures.
- C. This policy shall be implemented within the availability of division and department funds.
- D. Eligibility for Incentive Awards and Bonuses
  1. **Performance based incentive awards:** Any UDAF employee or group of employees, including probationary employees, may be eligible for performance based incentive awards. However, only benefitted employees are eligible for administrative leave, reward in lieu of cash.

2. **Cost savings and market based bonuses:** Any UDAF employee, including probationary employees, may be eligible for cost savings and market based bonuses.
3. **Service or retirement awards:** Employees may be eligible to receive service awards or retirement awards, in compliance with Division of Finance rules and procedures.
4. **Retirement incentives:** A retirement incentive may be offered to benefitted employees who are eligible to retire only when the department has a business need to offer the incentive.
5. The following employees are ineligible for performance based incentive awards and cost savings and market based bonuses:
  - a. Employees who have received an overall unsuccessful performance evaluation within six months prior to the award consideration.
  - b. Employees who have been placed on a performance improvement plan, or have received any form of discipline within six months prior to the award consideration.
  - c. Employees who are on administrative leave pending the results of an investigation into their conduct.
  - d. Board members, volunteers, contract employees, and federal employees are not UDAF employees and are not eligible for incentive awards.
- E. Individual cash incentive awards or bonuses may not exceed \$4,000 per pay period and \$8,000 in a fiscal year, except when approved by DHRM and the governor.
- F. Documentation of all types of incentive awards and bonuses shall be placed in the individual employee's personnel file.
- G. Exceptions to this policy, in compliance with DHRM and Division of Finance rules, may be granted by the UDAF Commissioner.

## II. PROCEDURES

### A. Performance Based Incentive Awards

1. Performance based incentive awards may be given to individual employees, or groups of employees, who demonstrate exceptional effort or accomplishment beyond what is normally expected on the job for a unique event or over a sustained period of time.
2. Recommendations for all types of performance based incentive awards may be made by any UDAF employee, shall be documented on a Pro-Certificate Award form, and be supported by a detailed written justification statement.
3. The supervisor of an employee recommended for a performance based incentive award shall verify the employee's eligibility by contacting the UDAF Human

Resource Office, and then forward the recommendation to the Division Director for review and approval.

4. Cash incentive awards may be issued in the amount of \$50 or \$100 with Division Director approval. All cash incentive awards greater than \$100 shall be forwarded to the UDAF Commissioner or Deputy Commissioner for review and approval.
5. Employees receiving a cash incentive award shall submit a copy to the UDAF Human Resource Office to be processed with payroll within 30 calendar days of the date issued. Cash incentive awards shall be forfeited if not submitted for payment within that time frame.
6. Administrative leave, reward in lieu of cash, may be issued to benefitted employees in amounts of four (4) hours or eight (8) hours with Division Director approval. Only the UDAF Commissioner may approve administrative leave awards greater than eight (8) hours. Administrative leave given as a reward in lieu of cash may not exceed 40 hours in a fiscal year.
7. An employee receiving an administrative leave award shall submit a copy to the UDAF Human Resource Office to be processed with payroll for the pay period in which the leave is recorded and submitted on the employee's electronic or paper time sheet.
8. Use of administrative leave with pay is subject to the same prior approval process as the use of annual leave. Administrative leave shall be used within one year from the date issued. Administrative leave shall be forfeited if not used within that time frame, or upon transfer or reassignment to another division within UDAF, transfer to another department of state government, termination, or retirement.
9. A Certificate of Commendation is written recognition of an employee's accomplishments on official UDAF certificate paper or letterhead and signed by the Commissioner.
10. Documentation of all performance based incentive awards shall be placed in individual employee personnel files.

**B. Cost Savings Bonus**

1. Cost savings bonuses may be given to employees as a means of increasing employee productivity, generating savings in the department, or to reward an individual employee who submits a cost savings proposal.
2. Recommendations for all cost savings bonuses may be made by any UDAF employee, shall be documented on a Cost Savings or Market Based Bonus form, and be supported by a detailed written justification statement.
3. The supervisor of an employee recommended for a cost savings bonus shall verify the employee's eligibility by contacting the UDAF Human Resource Office and then forward the recommendation to the Division Director for review and approval.

4. Cost savings bonuses may be issued in the amount of \$100 to \$500 with Division Director approval. All cost savings bonuses greater than \$500 shall be forwarded to the UDAF Commissioner or Deputy Commissioner for review and approval.
5. Employees receiving a cost savings bonus shall submit a copy to the UDAF Human Resource Office to be processed with payroll within 30 calendar days of the date issued. Cost savings bonuses shall be forfeited if not submitted for payment within that time frame.
6. Documentation of all cost savings bonuses shall be placed in individual employee personnel files.

#### C. Market Based Bonus

1. Market based bonuses may be used to meet targeted human resource needs of acquiring or retaining employees with job skills that are critical to the department and difficult to recruit from the market. Examples are:
  - a. retention bonus – for an employee who has unusually high or unique qualifications that are essential for the department to retain
  - b. recruitment or signing bonus – to incentivize a qualified candidate to work for the department
  - c. scarce skills bonus – to attract a qualified candidate with scarce skills required for the job
  - d. relocation bonus – for a current employee who must relocate to accept a position in a different commuting area
  - e. referral bonus – for a current employee who refers a job applicant who is subsequently selected
2. Recommendations for all market based bonuses may be made only by UDAF executives or division directors, shall be documented on a Cost Savings or Market Based Bonus form, and be supported by a detailed written justification statement.
3. The justification statement shall specify how the department will benefit by granting the incentive award based on one or more of the following:
  - a. budget
  - b. recruitment difficulties
  - c. a mission critical need to attract or retain unique or hard to find skills in the market
  - d. other market based reasons
4. The supervisor of an employee recommended for a market based bonus shall verify the employee's eligibility by contacting the UDAF Human Resource Office, and then forward the recommendation to the Division Director for review. The Division Director shall forward the recommendation to the Commissioner for review and approval.
5. Once approved by the Commissioner, the bonus documentation shall be forwarded to the Executive Director of DHRM for pre-approval before the bonus can be awarded. A memorandum from the Commissioner requesting pre-approval shall be attached to the documentation, including the bonus amount.

6. The Commissioner will be notified in writing by the Executive Director of DHRM of approvals or denials, and the Executive Director will forward a copy of the memorandum to the Employee Resource Information Center (ERIC) payroll on approved recommendations.
7. Employees receiving a market based bonus shall submit a copy to the UDAF Human Resource Office to be processed with payroll within 30 calendar days of the date issued. Market based bonuses shall be forfeited if not submitted for payment within that time frame. Market based bonuses will be coded in the payroll system as wage type 1151.
8. Documentation of all market based bonuses shall be placed in individual employee personnel files.
9. The department will do an annual internal cost/benefit analysis on any market based bonuses it awards to show whether the end result was worth the expense of the awards. The methodology used will depend on the nature of the market based bonus(es) issued.

#### D. Service Awards

1. Service awards may be given to employees in recognition of their years of service, in compliance with Division of Finance rules and procedures.
2. Awards shall be in the form of cash only, paid through payroll, and may not exceed the amount allowable based on the number of years of service.
3. Documentation of all service awards shall be placed in individual employee personnel files.

#### E. Retirement Awards

1. Retirement awards may be given to honor employees who are retiring, in compliance with Division of Finance rules and procedures.
2. Awards shall be in the form of cash only, paid through payroll, and may not exceed \$200.
3. Documentation of all retirement awards shall be placed in individual employee personnel files.

#### F. Retirement Incentives

1. Retirement incentives may be offered to employees eligible to retire only when the department has a business need to offer the incentive.
2. A management request for a retirement incentive shall be accompanied by written justification, identifying the work unit(s) affected and any cost savings, and submitted to the Commissioner or Deputy Commissioner for review and approval.

3. A single payment of up to \$8,000 may be granted as a retirement incentive. The payment must be reduced by the total amount of all other cash incentives received by the employee in the fiscal year the payment is made so as to not exceed \$8,000, unless approved by DHRM and the governor.
  4. Documentation of all retirement incentives shall be placed in individual employee personnel files.
- G. All cash incentive awards and bonuses shall be subject to payroll taxes.
- H. A fiscal year-end report will be submitted to DHRM administration on all incentive awards given during the fiscal year.





# UTAH DEPARTMENT OF AGRICULTURE AND FOOD

## PRO-CERTIFICATE INCENTIVE AWARD FORM

Employee: \_\_\_\_\_ EIN: \_\_\_\_\_ Division: \_\_\_\_\_  
Nominator: \_\_\_\_\_ Date: \_\_\_\_\_ Division: \_\_\_\_\_

Check the type(s) of incentive award(s) requested for performance based awards only:

- ☐ Cash award  
☐ Administrative leave, in lieu of cash award  
☐ Certificate of Commendation

Charge to: Dept: 570 Unit: 1110 Fund: 100  
Approp: SAA Func: DAGSAA001  
Program: NLP

(A written justification for the incentive award or Certificate of Commendation must be attached.)

### I. Cash Incentive Award (\$50 or \$100, or greater than \$100)

Amount: \$ \_\_\_\_\_ Approval date: \_\_\_\_\_

Approved by: \_\_\_\_\_

(Division Director)

(UDAF Commissioner or Deputy Commissioner review and approval are required for cash incentive awards greater than \$100.)

Amount approved: \$ \_\_\_\_\_ Approval date: \_\_\_\_\_

Approved by: \_\_\_\_\_

(UDAF Commissioner or Deputy Commissioner)

### II. Administrative Leave, in Lieu of Cash (4 hours or 8 hours, or greater than 8 hours)

Hours: \_\_\_\_\_ Approval date: \_\_\_\_\_

Approved by: \_\_\_\_\_

(Division Director)

(UDAF Commissioner or Deputy Commissioner review and approval are required for administrative leave greater than 8 hours.)

Hours approved: \_\_\_\_\_ Approval date: \_\_\_\_\_

Approved by: \_\_\_\_\_

(UDAF Commissioner or Deputy Commissioner)

**NOTE:** Cash incentive awards shall be used within 30 calendar days and administrative leave incentive awards within one year from the dates issued. Unused incentive awards shall be forfeited if not used within those time frames, or upon transfer or reassignment to a different UDAF division or upon termination.

In order to be paid, approved incentive award forms are to be submitted to the UDAF Human Resources office for processing.



# UTAH DEPARTMENT OF AGRICULTURE AND FOOD

## COST SAVINGS OR MARKET BASED BONUS FORM

Employee: \_\_\_\_\_ EIN: \_\_\_\_\_ Division: \_\_\_\_\_

Requestor: \_\_\_\_\_ Date: \_\_\_\_\_ Division: \_\_\_\_\_

Check the type(s) of bonus(es) requested for cost savings or market based bonuses only:

☐ Cost savings

☐ Market based bonus (wage type 1151)

Charge to: Dept: 570 Unit: 1110 Fund: 100  
Approp: SAA Func: DAGSAA001  
Program: NLP

(A written justification for the cost savings or market based bonus must be attached.)

### I. Cost Savings Bonus (\$100 to \$500, or greater than \$500)

Amount: \$ \_\_\_\_\_ Approval date: \_\_\_\_\_

Approved by: \_\_\_\_\_

(Division Director)

(UDAF Commissioner or Deputy Commissioner review and approval are required for cost savings bonuses greater than \$500.)

Amount approved: \$ \_\_\_\_\_ Approval date: \_\_\_\_\_

Approved by: \_\_\_\_\_

(UDAF Commissioner or Deputy Commissioner)

### II. Market Based Bonus

Amount: \$ \_\_\_\_\_

Approved by: \_\_\_\_\_ Approval date: \_\_\_\_\_

(Division Director)

Approved by: \_\_\_\_\_ Approval date: \_\_\_\_\_

(UDAF Commissioner or Deputy Commissioner)

**Market based bonuses must be forwarded by the Commissioner to the Executive Director, DHRM for pre-approval BEFORE the bonus can be awarded. A memorandum from the Commissioner requesting pre-approval shall be attached to this form and the written justification.**

**NOTE:** Cost savings and market based bonuses shall be used within 30 calendar days from the date issued. Unused bonuses shall be forfeited if not used within that time frame, or upon transfer or reassignment to a different UDAF division or upon termination.

In order to be paid, approved cost savings or market based bonus forms are to be submitted to the UDAF Human Resources office for processing.

<p style="text-align: center;"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b>  <b>02.11 MEDIA, COMMUNICATIONS AND</b>  <b>GRAMA REQUEST POLICY</b></p>	
<p><b>EFFECTIVE DATE:</b> November 1, 2000</p>	<p><b>REVISION DATE:</b> January 8, 2013</p>
<p><b>SUMMARY:</b> The UDAF is a public agency serving the agriculture community as well as the public. The Department's communications goal is to provide agency transparency, enhance agricultural production and educate the public about the benefits of agriculture. This policy strives to assure coordinated and consistent communication throughout the Department.</p>	

#### **RELEASING INFORMATION**

- News reporters contacting the Department should first be directed to the Public Information Office for help. Media representatives shall be provided with requested information in a timely and thorough manner consistent with the Government Records Access and Management Act (GRAMA). The UDAF will try to return all media calls within 20 minutes or less, even if only to acknowledge an inquiry and explain that we are collecting information.
- Exceptions to the general release of information include confidential materials regarding individual employees, customers, or regulated entities, and any other information declared confidential by state or federal law.

#### **SPOKESPERSON**

##### **Department**

The Commissioner is the department spokesperson. The Public Information Officer (PIO) is the department media contact and is responsible for formulating department media strategy in consultation with the Commissioner or Division Directors. The PIO will coordinate the release of information with the Commissioner, Deputy Commissioner or appropriate Division Directors. In the Commissioner's absence, the Deputy Commissioner, appropriate division spokesperson, or the Public Information Officer may act as department spokesperson.

##### **Division**

Each division or designated representative may act as spokesperson for their division in coordination with the PIO. In the director's or designated representative's absence, or if they elect not to be interviewed, the information officer may act as division or department spokesperson.

##### **Specific Issues**

The PIO and Division Director will designate spokespersons as needed on specific issues. Such subject-matter experts will be designated based upon their knowledge and ability to communicate effectively. Per Utah's () and the Social

Media Guide, employees shall not use their position to disseminate personal opinion

### **Answering Reporters**

Reporters often seek background information about a specific subject rather than the Department's position on a particular issue. Division employees should assist reporters in this area. Factual questions should be answered promptly and policy questions referred to the Division Director or PIO. Notify the PIO after answering media questions so that it can be determined if the reporter needs additional information.

### **MEDIA CONTACTS**

- When media representatives contact the Public Information Officer, refer them to the appropriate spokesperson or answer the question themselves.
- The PIO shall be notified of all media contacts as soon as reasonably possible. If you are contacted by the press over the weekend and need assistance, call the PIO at home.

### **NEWS RELEASES**

- News releases shall be prepared, reviewed and distributed through the PIO. The PIO and appropriate division director will approve routine releases prior to distribution. More sensitive releases will be reviewed by the division director, deputy commissioner, commissioner and governor's office.
- News conferences will be coordinated by the PIO.
- No outside agency or interest shall influence the wording, content or the department's decision whether or not to issue a news release or public statement.

### **NEWSLETTERS/BROCHURES**

Newsletters or brochures published by the Department or Divisions shall be coordinated with the Public Information Office. The PIO is available to offer editing and layout assistance. Such review allows for visual consistency and accuracy in publications, and helps manage department risk.

### **INTERNET INFORMATION**

Divisions are responsible for monitoring their individual Internet web pages to keep information pertinent and up-to-date. New items or articles may be added or edited by a division employee in coordination with the Public Information Office. Social media use must conform with the State's Social Media Guidelines and be coordinated with the PIO office.

[http://dhrm.utah.gov/eg/Employee\\_Gateway/1\\_Home\\_Page/State\\_News/StateOfUtahSocialMediaGuidelines.pdf](http://dhrm.utah.gov/eg/Employee_Gateway/1_Home_Page/State_News/StateOfUtahSocialMediaGuidelines.pdf)

### **TRADE-SHOW DISPLAYS**

Display messaging created by the Department or Divisions shall be coordinated with the Public Information Office.

#### **NOTIFICATION OF PUBLIC MEETINGS**

- Each division will be responsible for posting notices of public meetings using the Public Meeting Notice Website <http://www.utah.gov/pmn/index.html> as stipulated in the Utah Open and Public Meetings Act.
- Each division will notify the PIO of all open and public meetings. An agenda should also be provided.
- Notification of all public meetings held in the Agriculture and Food Building will be posted at the reception desk. The division holding the meeting will supply the receptionist with pertinent information.

#### **GRAMA REQUESTS**

For requests made by those other than the news media, each division shall be responsible for providing requested information in a timely and thorough manner consistent with the Government Records Access and Management Act. Requests made by the news media will be the responsibility of the Public Information Officer.

**\*\*Media is broadly defined as: The news media, the Internet, printed or electronic pamphlets and brochures, annual reports, tradeshow type displays, videos, and etc.**

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.12 OFFICE PROCEDURES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> March 16, 2009
<b>SUMMARY:</b> Guidelines for the reception area, visiting, and personal use of office tools and supplies.	

#### **RECEPTION AREA**

This area is paramount in conveying the department's image to the public. It is important that this area be maintained at a professional level. To achieve this the following procedures will be observed:

- Magazines, books, or newspapers shall not be read in this area by department employees. Reading, other than work-associated, should be confined to enclosed offices and lunchroom during non-work periods.
- As a security measure all visitors are required to sign in at the reception desk. To assure that all visitors sign in and are given appropriate direction, the reception desk shall have a receptionist present at all times.
- Visitors to the main office without a valid State Employee ID (or a valid Federal ID and recognizable by the receptionist) shall be required to sign in at the receptionist desk and obtain a visitor's pass from the receptionist.
- The primary function of the department receptionist is to courteously direct incoming calls and visitors. As a rule, all calls should be routed directly to the employee being called. If the employee is not available, the call should be transferred to the appropriate secretary for proper handling. If the receptionist is unable to reach either of these individuals, a message, including a return number should be taken.
- The receptionist should not leave the reception desk to locate an individual, except in an emergency. If the individual cannot be located by phone or through the appropriate secretary, a message should be taken or the help of another employee enlisted to help when necessary.
- As time permits, the receptionist should make repeated attempts to notify employees for whom there is a message.
- For many people, the receptionist is the first contact with the department. A courteous, helpful manner should be evident.
- Employees leaving their desks shall notify the receptionist and secretary of anticipated time of return and, when possible, where they can be reached. A well-informed receptionist and secretary can better serve the department and the public.
- Each division should insure they have proper coverage to serve the public from 8 to 5, including during the lunch hour.

## **OFFICE HOURS**

- Office hours are 8 a.m. to 5 p.m. Monday through Friday. Employees may, with approval of their supervisor, select a daily starting time between 6:00 and 9:00 a.m. and a quitting time between 3:00 and 6:00 p.m., so long as a full approved work schedule is completed each scheduled work day.
- Each employee's workday shall include a minimum of 30 minutes for a lunch period and two 15-minute work break periods, one of which is in the morning and one in the afternoon. Lunch periods will normally be scheduled to begin between the hours of 11:00 a.m. and 1:00 p.m. for a regular day shift. Break periods are included in 8 productive work hours. These lunch and break periods may not be adjusted or accumulated to accommodate a shorter workday.

## **VISITING**

Excessive visiting at another's desk or in groups is strongly discouraged. Such visiting distracts others and decreases the overall efficiency of the office.

## **SECRETARIAL STAFF**

- It is the general policy of the department that each secretary be primarily assigned to one or more directors or supervisors. Without overruling this policy, there are other considerations that must be satisfied.
- The secretarial staff as a unit must have the responsibility of completing the most important or highest priority department work first. This means that urgent work of any division of the department must take precedence over routine work of assigned areas. It is not intended that important work be sidetracked because of illness, vacation, or overload of one or more secretaries.
- Scheduling of urgent work or overload work that cannot be accomplished in time by assigned secretaries should be cleared through their director for temporary help.

## **PERSONAL USE OF MACHINES AND MATERIALS**

Office machines may be used on a limited basis during the non-working hours (before 8 or after 5) or during the lunch hour when not in use in carrying out department business. However, all supplies used in operation must be furnished by the individual. Limited copies may be made on the copy machine if the individual provides the paper. No department supplies are to be used for personal use. No department equipment may be used for personal financial gain.

## **OFFICE SUPPLIES**

Each division is responsible for obtaining supplies through Office Depot or other approved means.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.13 RECYCLING PROGRAM</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Procedures for the collection and sorting of recyclable materials, as well as the cash returns received.	

In response to the requirements of House Bill 330 for state agencies to initiate a recycling program for waste paper, the following procedure is in effect for UDAF:

- Cardboard boxes (one for white paper and one for colored paper) are placed on the East and West sides of the building on each floor at central points. Each division will be responsible for determining the location for the boxes in their area.
- Each employee will collect and sort their paper at their desks. Each week they will be responsible for placing their paper in the central collection boxes.
- Each division will designate a person to manage the central collection boxes in that area. This person will be responsible for keeping people involved and transporting the paper to the large collection barrels located in the underground parking area.
- The Agriculture Employee Services Committee will oversee the program and handle the cash returns.



<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.14 REGULATORY ENFORCEMENT PROCEDURES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Uniformity in inspecting procedures, as well as the enforcement process for compliance violations.	

Enforcement methods will be handled in as uniform a manner as practical to attain compliance to the applicable laws and rules. The following is a method of enforcement in the department.

**When an inspection/investigation or evaluation is made of the establishment, device, animal, plants, or processed agricultural product:**

- An inspector shall present credentials and identify themselves, state the nature or reason for the inspection/investigation to management, and get permission to make the inspection/investigation.
- A record shall be kept outlining the findings of each inspection/investigation. This record is an official document defining the conditions that existed at the time of the inspection/investigation.
- If the inspection/investigation identifies violations that pose health threats or fraud, the inspector shall encourage firm management to immediately remedy such violations. If cooperation is not achieved administratively, embargoes, hold orders, condemnation, or destruction shall proceed.
- An exit interview must be conducted with firm management (where possible) detailing the conditions noted on the inspection/investigation record. If corrections or agreements are discussed or finalized during this interview, they must be noted on the record. Also, receipts for samples or notices for holds or embargoes must be left during this interview.
- NOTE: Some agriculture inspection/investigation programs operate on a permit or license system, and this system may grant authorization for inspection/investigation and sample collection as a requirement for issuance of the license or permit.

**Warning Letter**

When violations are identified and it is apparent firms have not followed agreements made during the inspection/investigation phase, a warning letter may be sent to the most responsible person in the firm. This letter must re-identify the problems, request a response from the firm outlining what steps will be taken to resolve the violations, and provide an opportunity for a hearing. This response must be returned in a reasonable time and must include a time frame as to when

corrective measures will be completed. Factors that will determine issuance of a warning letter are:

- The seriousness of the violation.
- The past history of violations.

### **Meetings**

At any time it is determined compliance could result from meeting with individuals of a violating firm, such a meeting may be held. The purpose of this meeting will be to offer the violating firm an opportunity to express reasons for the non-compliance.

### **Notice of Violation & Hearing**

The department is authorized under Title 4-2-2(1)(k) and 4-2-12 to issue administrative orders to seek correction or compliance to Agricultural laws or rules. Whenever an administrative order is issued, the order must contain the following information:

- The statutory authority for issuing the order.
- The problem or violation the order addresses must be thoroughly and clearly stated.
- The corrective action or order required by the department must be thoroughly and clearly stated.
- The defendant(s) must be given an opportunity to request a hearing regarding any action proposed by the department.
- All orders issued by the department must have preliminary approval of the Division Director and final approval by the Commissioner.

### **Citations**

A Citation means a lawful notice, issued by the division, which is intended to immediately remedy a violation of agricultural statutes or rules by a person, business, operator, etc. Pursuant to Section 4-2-15, a citation may include a penalty assessment or provide for a fine to take effect within a stated time period. The Commissioner or persons designated by the Commissioner may enforce this rule by the issuance of a citation for violation in order to secure subsequent payments of fines or the imposition of penalties.

### **Hearing**

The department follows procedures outlined in the Administrative Procedures Act Title 63 Chapter 46b. Hearings shall be open to observation by all parties.

### **Court Action**

The next regulatory step is filing a complaint in the court. Before a complaint is filed, the case is to be discussed with the Department's Hearing Officer. A review of the case with the documented evidence will be made. Then, if department representatives decide that this is the proper and best approach to attain compliance, a complaint will be filed.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.15 RELOCATION REIMBURSEMENT</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Procedures for gaining reimbursement for employees who are required to move as a result of their employment.	

This policy has been established to ensure consistency throughout the various state departments and agencies in providing an equitable reimbursement for State of Utah employees. Authority (Ref. FIACCT 09-04.02)

#### **APPROVAL**

All relocation moves require prior WRITTEN approval of the Department Director or agency head and will be in the best interest of the State. The written approval must accompany the Employee Reimbursement/Earnings Request form.

#### **EMPLOYEES**

Reimbursement costs detailed in this policy will be granted to state employees who are required to move as a result of their employment and may be granted at the discretion of the department head to state employees who move to accept an advancement or another position within the state.

#### **NEW EMPLOYEES**

Relocation costs identified in this policy may be paid to new employees who are required to move to accept employment. The amount of relocation costs reimbursed will be a matter of negotiation between the department and the employee but will not exceed those costs identified as reimbursable by this policy.

**NOTE: THE EMPLOYEE MUST AGREE IN WRITING TO REPAY ANY RELOCATION EXPENSE IF, WITHIN ONE YEAR FOLLOWING THE RELOCATION, THE EMPLOYEE TERMINATES EMPLOYMENT WITH THE STATE OR TRANSFERS TO ANOTHER DEPARTMENT.**

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.16 REQUESTS FOR LISTS OF LICENSES, EMPLOYEES, ETC.</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Which information is public knowledge and can be released upon request.	

#### **LISTS CANNOT BE SOLD FOR PROFIT**

It is the Attorney General's opinion that department lists cannot be sold for a profit. However, costs incurred in printing lists can be charged. Lists can be released in accordance with the guidelines for the classification given each list by the State Records Committee. All requests for written lists must be in writing.

#### **OPEN RECORDS STATE**

Utah Code annotated, Section 78-26-1, indicates that Utah is an open records state. The premise that the public has a vested interest in the activities of government is recognized and supported by the laws and regulations of the state. Utah Code Annotated, Section 63-2-85.4, indicates that Utah also recognizes the individual's right of privacy when State Government collects information on its citizens. Citizen's rights of access to government information must be balanced with the individual's right of privacy. According to policy and procedures established by the Utah State Records Committee, the following information concerning current or former public employees, volunteers, independent contract/grantors, and members of advisory boards or commissions may be given to the public upon request:

- The employee's name
- Actual gross salary
- Salary range
- Contract/grant fees
- The nature of employer-paid benefits
- The basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary
- Job title
- Job description
- Education and training background as it relates to qualifying the individual for the position
- Previous work experience as it relates to qualifying the individual for the position
- Date of first and last employment in state government
- The final disposition of any disciplinary action by the Personnel Review Board
- Work location
- A work telephone number
- City and county of residence (this does not include street address)
- Honors and awards as they relate to state government employment
- Number of hours worked per pay period

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.17 SICK LEAVE ASSISTANCE POLICY</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Procedures for donating hours to the Sick Leave Assistance Program, requesting leave on the basis of illness, and processing request.	

### **SICK LEAVE ASSISTANCE**

The purpose of this policy is to provide the procedures and requirements for use of the Sick Leave Assistance Program for the UDAF and to explain the responsibility of the donating employee, the receiving employee, and Commissioner.

It is the policy of the department to provide a Sick Leave Assistance Program to aid employees who have had a serious accident or serious illness or allowing for care of an immediate family member and whose leave benefits have been or will be exhausted.

### **SICK LEAVE ASSISTANCE PROGRAM REGULATIONS**

#### **Applicability**

This policy is applicable to all divisions within the Department and available to all Department employees earning leave benefits.

#### **Donating Hours**

- The sick leave assistance program will be composed of annual leave and converted leave hours donated by department employees. Employees may only donate from accrued annual leave and converted leave hours to the Department Sick Leave Assistance Program.
- Annual leave and converted leave hours may be donated at any time during a fiscal year. Annual leave shall not be donated from leave balances which would normally be lost at the end of the calendar year unless it is possible for the employee to take the time for personal use before year end.
- Donated leave hours become the property of the department and are non-reimbursable to the donating employee and **are not tax-deductible**.
- Any department employee eligible for annual leave benefits may donate annual leave to the sick leave assistance program.
- Donated annual leave and converted leave must be submitted on the State Leave Bank Donation Request form FI-11.
- Employees will not be limited regarding the amount of hours they may donate.

#### **Use of Donated Hours**

- Only members eligible for leave benefits shall be eligible to utilize the program.
- Donated leave shall not be counted toward the user's seniority, longevity, or salary eligibility date determination.
- Employees approved under this policy shall use donated leave concurrently with any applicable Family and Medical Leave benefits.

### **Limitations**

- Approval of leave benefit is contingent on disability benefits being unavailable to the employee.
- The program shall be limited to the amount of sick leave hours available in the Sick Leave Assistance Program. Sufficient leave must be available in the program to accommodate leave requests.
- All use of the sick leave assistance program shall be subject to post audit.
- Leave cannot be accrued by an employee while utilizing the sick leave assistance program.
- Workers compensation benefits may not be used at the same time as the accrued or donated leave.
- The maximum number of hours which may be given to any employee during their tenure with UDAF shall be 522 hours per employee. Additional hours may be requested for consideration by the Commissioner.
- The sick leave assistance program is not a right but a privilege and decisions made concerning the awarding of sick leave assistance are not subject to appeal and may be revoked at any time by the Commissioner. Sick leave benefits may be denied to persons for the following reasons:
  - Abuse of sick leave.
  - History of using sick leave soon after it is accrued; exceptions shall be approved by the Commissioner.
  - Consequence of injury or illness related to substance abuse, including but not limited to hangover, drug or alcohol withdrawal, drug or alcohol rehabilitation, or a drunk driving accident.

### **Requesting Sick Leave Assistance**

- Any employee receiving leave benefits who has had a serious accident or serious illness and whose leave benefits have been or will be exhausted may request leave assistance hours for their use. A doctor's statement must accompany the request. The employee, if possible, should apply for use of the program prior to going on a leave-without-pay status. The request will be made through the Division Director or designee.

- The employee's supervisor or Division Director may also request the benefit on behalf of the employee, if the employee is unable to do so.
- The Commissioner will determine whether assistance should be provided.
- The Commissioner will have final approval as to who shall receive leave hours and in what amount.

### **Processing Request**

- The Commissioner shall notify the Sick Leave Secretary (personnel office) of their decision. Upon approval, leave will be granted to the employee from the sick leave assistance program. If there is not enough leave available in the sick leave bank, an announcement will be sent to all divisions of the department. This announcement will contain the name of the employee requesting assistance, the number of hours needed and the process for submitting donations; no pressure shall be placed on individuals to donate to other employees.
- Human Resource office shall be notified in writing as to the number of hours to be credited to the employee receiving the donations. These hours will be added to the employee's payroll when all compensatory time, sick leave, and annual leave are exhausted.
- The leave secretary shall debit the donors leave record and credit the receiving employees leave record with the appropriate number of hours. All copies of the sick leave assistance requests shall be filed in the employee's personnel file.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.18 TRAINING</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Initializing and recording training procedures for employees.	

#### **REASON FOR TRAINING**

From time to time, the Department of Human Resources (DHRM) and other State training agencies send information about training opportunities for UDAF employees. All records of outside training given to UDAF employees will be kept by the Department.

#### **PROCEDURES FOR TRAINING**

- Certified Public Managers Training is given through the Human Resource Department. The department has approved this course. Registration should be made through the Department Administrative Services.
- The department will follow the educational policies set up in state personnel rules regarding reimbursement of tuition, etc.
- Divisions may require certified training for UDAF employees. Documents shall be forwarded to UDAF Human Resources for filing.
- All other training requested by UDAF employees shall be approved by the Division Director.



<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.19 WEAPONS POLICY</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Policy for owning, carrying, and using weapons.	

Under the Authority of Utah Code Annotated title 4-24-28 and title 77-1A-4, the department adopts this weapons policy as a directive for those individuals who are authorized by the department to carry firearms or weapons of any type.

As an overall statement concerning this policy: It is the department's feeling that the use of weapons in any work authorized by the department is generally for individual employee protection. It is normally not intended to be used as a show of force to achieve compliance with the laws or regulations.

Any individual within the department who feels their job or job related activities put them into a situation that would require the protection of a weapon must receive prior written authorization by the Commissioner of Agriculture and the Division Director. Once authorization is given, the weapon should only be used during working hours while performing official duties.

Before any employee will be authorized to carry a weapon they must be Police Officer Standard Training (POST) certified as one of the four types of Public Safety Officers identified in Title 77-1A-4 of the Utah Code. They must also attend a weapon training course taught by any participating law enforcement agency, such as Utah Highway Patrol or local public safety groups. At the end of the training, each employee must demonstrate his ability to handle the weapon by qualifying under the states present standard. Weapons certification must be maintained by the employee by re-qualifying every six months with a local law enforcement agency.

Weapons will be maintained in a secure area within the individuals automobile (trunk or locked vehicle), readily accessible for use in emergency, and will normally be permitted to be carried on the individual person under any one of the following instances:

- While performing road stops.
- While involved in authorized roadblocks, whether they are being held alone or with other law enforcement personnel.
- While on duty at one of the state's eight ports of entries.
- While issuing subpoena or search warrants.
- Making a felony arrest.
- Conducting certain types of investigations.

- Performing any other job-related duty in which it is determined that one's life may be in danger.

**DEADLY FORCE**

Because it is not the intent of the department to use the weapon as a tool to enforce the laws and regulations, the weapons should only be drawn or fired at an individual when it is felt the life or personal welfare of the employee or another person they may be protecting is at stake. A department investigation and review will be required on all weapons related incidences and firings not normally related to training, practice or re-qualification.

**OWNERSHIP AND STORAGE**

Weapons may be either department owned or privately owned. If the weapon is department owned, the serial number of each gun shall be on record within the department and must be returned to the department on termination or retirement of employee. Each employee assigned a gun will be responsible for the cleaning, care and security of the weapon. A secure weapons storage locker will be provided at the department building for any guns that are not issued to employees.

**VIOLATIONS**

Any violation of the Weapons Policy is reason for a review, resulting in possible discipline or termination of the employee.

<p align="center"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b>  <b>02.20 ON-CALL POLICY</b></p>	
<p><b>EFFECTIVE DATE:</b>  <b>FEBRUARY 5, 2003</b></p>	<p><b>REVISION DATE:</b>  <b>JUNE 12, 2003</b></p>
<p><b>SUMMARY:</b> To establish consistent Department policy and procedures and compensating employees that are required by management to be placed on “On call” status outside of their scheduled work hours. This policy will ensure compliance with Fair Labor Standards Act, Utah Code 67-19-6.7, and State of Utah Human Resource Management Rules R477-8-6(8)(c) for employee reporting “On-call” time.</p>	

## **ON-CALL POLICY**

- **ON-CALL DEFINITION:**
  - Pursuant to State Human Resource Management Rules R477-8-6(8)(c) employee time is considered “On-call time” only when an employee is required by management to be available for a call to duty.
  - Being available means an employee is required by management to be reachable to work during a specified time frame of coverage for work beyond an employee’s regular work schedule.
  - This requirement is to be stipulated in writing prior to being considered on “on-call” status consistent with procedures for “on-call” as identified in the PROCEDURES section of this policy.
- **COMPENSATION TERM:**

Pursuant to State Human Resource Rules R477-8-6(8)(c) employees required by management to be available for “on-call time” will be compensated at a rate of one hour for every twelve hours the employee is “on-call.”
- **REPORTING ON-CALL TIME:**
  - Employees record “on-call” time as “on-call paid” and not as “hours worked” on their time sheet.
  - “On-call” time reported is to be paid out the following pay period.
- **ACTUAL HOURS WORKED:**
  - Pursuant to State Human Resource Management Rules R477-8-6(8)(c) employees.

<p align="center"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b>  <b>02.21 UNLAWFUL HARASSMENT</b></p>	
<p><b>EFFECTIVE DATE:</b>  <b>MARCH 01, 1993</b></p>	<p><b>REVISION DATE:</b>  <b>OCTOBER 09, 2001</b></p>
<p><b>SUMMARY:</b> To provide all employees a working environment that is free from unlawful harassment based on race, religion, national origin, color, sex, age, disability, or protected activity under the anti-discrimination statute and comply with state and federal laws, Title VII of the Civil Rights Act of 1964, as amended, Federal EEOC Guidelines, the Governor's Executive Order (March 1993), and State of Utah Human Resource Management Rules R477-15, regarding discrimination based on unlawful harassment.</p>	

## **UNLAWFUL HARASSMENT POLICIES AND PROCEDURES**

- **DEFINITION OF TERMS**

- Workplace harassment - any behavior that demeans, denigrates, or shows hostility towards another person or group on the basis of gender, race, national origin, religion, disability, color, or age. It include epithets, slurs, jokes, negative stereotyping, touching, and other behaviors, as well as written and graphic materials displayed or circulated in the workplace. Workplace harassment has as its purpose of effect the creation of a hostile or intimidating work environment, and it also interferes with a person's work performance, affects an individual's work opportunities, and alienates employees and the public.
- Sexual harassment - a type of workplace harassment that has two basic forms: hostile work environment and quid pro quo. Hostile work environment sexual harassment is behavior of a sexual nature that results in a hostile, threatening or demeaning work environment. Quid pro quo sexual harassment is implicit or explicit offers of job advancement, job enhancements, or other tangible job benefits are made in return for sexual favors.

- **POLICY**

The Utah Department of Agriculture and Food is committed to providing and maintaining a harassment-free work environment for its employees and the public. Unlawful harassment will not be tolerated.

- An employee shall be subject to corrective action or discipline for unlawful harassment towards another employee, even if that harassment occurs outside of scheduled work time or work location provided that that harassment meets the requirements of R477-15-2(2)

- Department supervisors have a special role in the prevention of sexual and other workplace harassment. Supervisors will set a proper example by not engaging in any form of harassing behavior themselves. Supervisors who choose to have a dating, sexual, or romantic relationship with a subordinate are risking complaints of sexual harassment, sex discrimination, and/or personal lawsuits, as well as potentially creating liability for the department. If allegations of workplace harassment are made against a supervisor and found to be valid, the supervisor may not be indemnified under the Government Immunity Act, Title 63-30-36 & 37 UCA, and will be subject to disciplinary action.
- Individuals affected by alleged unlawful harassment may, but shall not be required to, confront the accused harasser before filing a complaint.
- Once a complaint has been filed, the accused shall not communicate with the complainant regarding allegations of harassment.
- Malicious complaints of workplace harassment will result in corrective or disciplinary action being taken against the accuser.
- **RETALIATION**
  - No person may retaliate against any employee who opposes a practice forbidden under this policy, or has filed a charge, testified, assisted or participated in any manner in an investigation, proceeding or hearing under this policy or is otherwise engaged in protected activity.
  - Any act of retaliation toward the complainant, witness or others involved in the investigation shall be subject to corrective action or disciplinary action. Prohibited actions include:
    1. open hostility to complainant, participant or others involved;
    2. exclusion/ostracism of the complainant, participant or others;
    3. creation of or the continued existence of a hostile work environment;
    4. discriminatory remarks about the complainant, participant or others;
    5. special attention to or assignment of the complainant, participant or others to demeaning duties not otherwise performed;
    6. tokenism or patronizing behavior;
    7. discriminatory treatment;
    8. subtle harassment; or

9. unreasonable supervisory imposed time restrictions on employees in preparing complaints or compiling evidence of unlawful harassment activities or behaviors.

- **COMPLAINT PROCEDURE**

- Individuals affected by unlawful harassment may file complaints and engage in an administrative process free from bias, collusion, intimidation or retaliation.
- Supervisors will take all complaints and observations of workplace harassment seriously.
  1. Those within the department who receive a complaint of workplace harassment must advise the complainant that others in the department's chain of command and the Human Resource Office and DHRM will be briefed on the complaint, regardless of the complainant's desires.
- Employees are encouraged to use the department's internal complaint process before going to an outside agency.
- The department will investigate all complaints of workplace harassment in a timely manner; using outside investigators when needed.
- Individuals who feel they are being subjected to unlawful harassment should do the following:
  1. continue to report to work,
  2. verbalize disapproval of the action to the perpetrator and demand that it cease,
  3. document the occurrence,
  4. identify any witnesses,
  5. promptly file a complaint with their immediate supervisor, the department's Human Resource Office, the Commissioner or deputy commissioner, DHRM, the Utah Anti-Discrimination and Labor Division, Equal Employment Opportunity Commission, or any member of department management.

- **INVESTIGATIVE PROCEDURE**

- The investigative procedure shall allow the complainant to make specific requests relating to the investigation process and about the person or persons who will conduct the investigation. The department will attempt to comply with these requests, but may take whatever

action necessary and appropriate to resolve the complaint.

- Preliminary reviews and investigations will be conducted in accordance with procedures issued by the Department of Human Resource Management.
  - 1. The department's Human Resource Office will conduct or coordinate all formal sexual harassment investigations.
- Results of Investigation
  - 1. If the investigation reveals that disciplinary action is warranted, the agency head shall take appropriate action as provided in R477-11
  - 2. if an investigation reveals evidence of criminal conduct in unlawful harassment allegations, the Commissioner or the Department of Human Resource Management may refer the matter to the Attorney General's Office or County/District Attorney as appropriate.
  - 3. If an investigation of unlawful harassment reveals that the accusations are unfounded, the findings shall be documented, the investigation terminated, and appropriate parties notified.
  - 4. Investigations shall be conducted by qualified individuals based on DHRM standards.

- **RECORDS**

- A separate protected record of all unlawful harassment complaints shall be maintained and stored in the department's human resource office, DHRM office, or in the possession of an authorized official. Removal or disposal of records in the protected file may only be done with the approval of the Commissioner or Executive Director of DHRM, and only after minimum timelines specified herein have been met. Records shall be kept for: a minimum of three years from the resolution of the complaint or investigative proceeding.
- Supervisors shall not keep separate files related to complaints of unlawful harassment.

All information contained in the complaint file shall be classified as protected pursuant to requirements of Section 63-2-304, Governments Records Access and Management Act.

Information contained in the unlawful harassment protected file shall only be released by the Commissioner or DHRM, when in compliance with the requirements of laws.

Participants in any unlawful harassment proceeding shall treat all

information as protected.

Final disposition on unlawful harassment cases shall be communicated to appropriate parties.

- **TRAINING**

The department will comply with the Unlawful Harassment Prevention Training Standards set by DHRM.

- The department's Human Resource Office will co-ordinate training for employees on preventing, recognizing, stopping and reporting sexual and other forms of workplace harassment.
- All new career service employees will receive training on workplace harassment prevention and reporting as part of the new employee orientation.
- Temporary employees will at least be given a booklet that describes sexual and workplace harassment and outlines complaint procedures.
- Current state employees transferring into the department must obtain workplace harassment prevention training during their first month with the department unless they can provide proof that they received equivalent training from their prior agency sometime within the last three years.
- All newly appointed supervisors must attend supervisor training for prevention of workplace harassment as soon as possible after their promotion.
- All department career service and regularly scheduled non-career service employees must attend a class on workplace harassment prevention once every three years.
- Record of attendance at this training will be placed in the
- Employee's personnel file and will also be entered in the state's automated training records system.



## WORKPLACE VIOLENCE PREVENTION POLICIES AND PROCEDURES

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>02.22 Workplace Violence Prevention Policies and Procedures</b>	
<b>EFFECTIVE DATE:</b> APRIL 10, 2002	<b>REVISION DATE:</b> APRIL 10, 2002
<b>SUMMARY:</b> The Utah State Department of Agriculture and Food is committed to provide a safe and secure working place for both staff and clients. It is recognized that workplace violence and crime in any of their forms can invade a workplace. It is also recognized that both violence and crime have negative effects on the ability of all staff to perform their work duties and present a threat to the operations of state government.	

### **POLICY – ZERO TOLERANCE OF WORKPLACE VIOLENCE**

It is the policy of the Utah Department of Agriculture and Food that workplace violence in any form will not be tolerated in any of the activities or offices of the Department and individuals engaging in workplace violence will be disciplined and/or criminally prosecuted.

### **PROCEDURES**

- Workplace violence definition:  
“Workplace violence is defined as any behavior, action or statement made by an individual or group directed toward another individual, or group, and done with the purpose of threatening, intimidating or otherwise causing any reasonable individual(s) who is the recipient of the behavior, action or statement to fear for his or her safety.”
  - Workplace violence may take the form of verbal comments, printed or written material threats, innuendo, intimidating behavior, shouting, stalking and/or physical violence.
- Any employee engaging in any form of the above listed behavior is subject to administrative disciplinary action and/or having a criminal complaint filed against him or her.
- Any visitor(s) or agency client(s) engaging in any form of the afore listed behavior, in the department offices or in any agency-based activity, will be asked to leave the office, escorted from the office, denied access to the office or activity and/or, based on the severity of the behavior, may have criminal charges filed against him or her.
- The reporting employee may be required to provide a written report of the incident.
  - The incident shall be investigated and, if verified, actions shall be taken to correct the situation. On the basis of facts, a plan for the protection of the employee shall be developed and implemented.
- Any employee who believes that he or she may be the subject of any form of workplace violence shall immediately notify his or her supervisor in writing of this occurrence or the reason for his/her concern.

- The employee shall provide in writing all necessary detail(s) of any incident(s) or detail explaining why he/she believes that he/she may be the victim of an incident of workplace violence.
  - The allegations shall be investigated and, if verified, actions shall be taken by the agency to provide support and protection for the employee.
- Any employee who has obtained any type of court issued protective order against any individual(s) shall report this fact to his or her supervisor and, where feasible, shall provide a copy of the order.
  - The supervisor shall work with the employee, agency security or the police and other appropriate individuals to develop a plan to address the safety of the employee and the security of the facility.
- Any visitor to the agency office or any agency client who believes that he or she has been subjected to any form of violence from any staff member shall report the incident to the director of Administrative Services or designee who shall conduct an investigation of the incident and act in accordance with this policy.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>03.01 ACCEPTABLE USE POLICY, INFORMATION TECHNOLOGY RESOURCES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Policy that improves the effectiveness of Information Resources and ensures that they are used in a professional, useful, and legal manner.	

#### **PURPOSE**

The purpose of state-provided information technology (IT) resources (i.e. email, electronic voice and video communication, facsimile, the Internet, and future technologies) is to support the state agency in achieving its mission and goals, and to improve state government in general. These resources are intended to assist in the efficient and effective day to day operations of state agencies, including collaboration and exchange of information within and between state agencies, other branches of government and others. These resources also provide public access to public information.

#### **RULES AND REGULATIONS**

Effective use of state-provided IT resources is important to the State of Utah. To help improve the effectiveness of the use of these resources, incidental and occasional personal use is permitted, as long as such use does not:

- Interfere with existing rules or policies pertaining to the agency.
- Disrupt or distract the conduct of state business (i.e., due to the volume or frequency).
- Involve solicitation.
- Involve a for-profit personal business activity.
- Have the potential to embarrass the state.
- Involve illegal activities.

#### **POLICY INTENT**

The intent of this policy is to assure that:

- The use of state-provided IT resources is related to, or for the benefit of, state government.
- State-provided IT resources are used productively.
- Disruptions of state government activities, because of inappropriate use of state-provided IT resources, are avoided.
- The state government community is informed about confidentiality, privacy, and acceptable use of state-provided IT resources as defined in this policy.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>03.02 ARCHIVAL OF DATA STORED ON COMPUTER MEDIA</b>	
<b>EFFECTIVE DATE:</b> January 25, 2001	<b>REVISION DATE:</b> December 7, 2010
<b>SUMMARY:</b> Offline archival of Data from critical computer applications and databases and retrieval of the same is vital. The procedures described below will assure that critical data is available as needed.	

**PREPARATION AND DISTRIBUTION:**

**Purpose**

The purpose of this procedure is to assure that storage of data, which is seldom referenced, into a format and on a media that can be easily read by any program. It will take longer and be less convenient than looking it up in the (online) current data but it will still be accessible. The storage format and media should remain generic enough that we do not need to retain outdated application programs that may be incompatible with current hardware and operating systems

DEPARTMENT OF AGRICULTURE AND FOOD	
03.03 CELLULAR PHONES	
<b>EFFECTIVE DATE:</b>	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Policy regarding appropriate cellular telephone acquisition, usage, and payment of monthly bills.	

## OVERVIEW

Utah Department of Agriculture and Food (UDAF) is committed to the wise and prudent use of State resources. As a general rule, the use of state-owned property is restricted to the official business of UDAF. Employees of UDAF shall not use state-owned property for their personal use except as provided herein. Circumstances may occur when the use of state-owned property for an employee's personal use would be more cost effective to UDAF than the employee seeking alternative means of accomplishing a task. Personal use of state-owned property shall be limited to infrequent, incidental, and/or emergency use. The employee shall reimburse UDAF for any unjustified personal use of state-owned property.

## DEFINITIONS

**Personal Use** – Any use that is not required to accomplish State business.

**State-Owned Property** – All property procured, leased, or rented by, or donated or otherwise conveyed to, the State of Utah or the State's agencies in any manner to be used by the State to conduct the State's business.

**Division** – Operational, office, bureau, program, or section within UDAF.

## ACQUISITION OF CELLULAR TELEPHONES

Cellular telephones shall be used only when more conventional, efficient, and effective means of communication are not available. Conversations shall be kept to a minimum and, when possible, a land telephone line shall be used for conducting UDAF business. Where an employee/manager determines that it will be more cost effective to use a cellular telephone for conducting business, the employee/manager may submit a written request for a cellular telephone to the Division director. A cellular telephone acquisition must be supported by the following:

- A statement justifying the acquisition.
- A statement justifying the acquisition cost.
- A written statement by the Division director approving the acquisition.

All requests for cellular telephones and all documents supporting an acquisition shall be maintained in the files of the Division authorizing such acquisition.

Each Division shall assign a cellular telephone coordinator who shall maintain a list of authorized cellular telephone users. Only employees or position assignments that have signed authorization from the Division director shall be issued a cellular telephone. When a cellular telephone is reassigned to another employee for UDAF

use, the Division cellular telephone coordinator shall update the list of authorized cellular telephone users to reflect the reassignment.

#### **USE OF PERSONAL CELLULAR TELEPHONES FOR UDAF BUSINESS**

Employees who use a personal cellular telephone for official UDAF business may be reimbursed for the actual cost of the cellular telephone calls, plus roaming charges, if any, and/or the percentage of use of the total calling plan by whole minutes. The employee's request for the reimbursement must include a signed copy of the billing statement from the cellular service provider with the reimbursable work calls highlighted.

#### **USE OF STATE-OWNED CELLULAR TELEPHONES FOR PERSONAL CALLS**

The primary use of state-owned cellular telephones is for official UDAF business. Personal use of state-owned cellular telephones (for both incoming and outgoing telephone calls) shall be limited to infrequent, incidental, and/or emergency use. UDAF employees shall make a reasonable attempt to use land telephone lines for necessary personal telephone calls. There shall be no free cellular telephone calls of a personal nature except as a justifiable work related necessity because of unusual circumstances. The employee is not required to reimburse UDAF the cost of these unusual and justified cellular telephone calls.

Employee reimbursements for personal cellular telephone calls are due on a monthly basis to the Division of Administrative Services. Each Division director shall be responsible for monitoring compliance with this policy.

#### **EMPLOYEE RESPONSIBILITY FOR CARE OF STATE-OWNED CELLULAR TELEPHONES**

Each employee issued a state-owned cellular telephone is responsible for its reasonable care. In the event of loss or damage to the cellular telephone, the employee shall be held personally responsible for replacement or repair of the cellular telephone unless the employee can demonstrate that reasonable care to protect and safeguard the cellular telephone was exercised. If the Division director determines that the employee has exercised reasonable care, the Division shall bear the cost of replacement or repair.

#### **CELLULAR TELEPHONE CONTROL PROCEDURES**

- The Division of Administrative Services shall designate a Department cellular telephone coordinator.
- The Department coordinator shall prepare and maintain a list of all approved cellular telephone users. The list shall include, at a minimum, the approved user's name and work location, the cellular telephone number, and the telephone's serial number or other identification number. When the accounting technician receives the monthly billing statements from the cellular service providers they will supply a copy to each division. The Division director/designee shall compare the billing statements to the list of approved users and, with the help of the users, promptly report any discrepancies to the Department coordinator.

- The accounting technician shall distribute the billing statements monthly within three days of receipt. The Division director/designee shall sign each monthly billing statement and return the billing statement to the Department coordinator within a reasonable time (generally within ten days of receipt.). Each cellular telephone user shall highlight all personal cellular telephone calls (both incoming and outgoing telephone calls) and document on the monthly billing statement the justification for each personal call and/or reimburse UDAF for the unjustified charges incurred.
- The employee shall reimburse UDAF for personal use of the cellular telephone at a rate shown on the billing statement, plus roaming charges, if any, and/or the percentage of use of the total calling plan by whole minutes. If personal calls exceed the cellular calling plan, the employee will pay for all charges in excess of the plan plus the percentage of unjustified personal use time within the plan.
- The Division of Administrative Services shall maintain a file of all monthly billing statements with all appropriate attachments.
- Oversight responsibility for compliance with UDAF cellular telephone policies rests with the Division director. This responsibility includes monitoring cellular telephone usage by reviewing the monthly billing statements on a regular basis. On an annual basis, the Division director shall review the list of authorized cellular telephone users and recertify the employees or positions authorized to use cellular telephones. Any concerns involving cellular telephone usage, including excessive, questionable, or non-reimbursed personal use, should be resolved at the Division level. In addition, the Division director shall ensure that all employees in that Division read and understand this policy.

#### **USE OF CELLULAR TELEPHONES WHILE OPERATING A MOTOR VEHICLE**

For the safety of UDAF employees and the citizens of the State of Utah, UDAF policy strongly discourages employees from using a cellular telephone while operating a motor vehicle. UDAF also discourages the use of hands-free cellular phone devices while operating a motor vehicle.

#### **CELLULAR TELEPHONE ATTACHMENTS AND ADDITIONAL SERVICES**

Technological advances provide an increasing selection of cellular telephone equipment and related services, including Internet and e-mail access. The Division director shall be responsible for determining the appropriate type of equipment and level of services. In all cases, employees shall reimburse UDAF for the cost of any unjustified personal service use of state-owned property.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b>	
<b>03.04 COMPUTER HARDWARE AND SOFTWARE PURCHASE AND INSTALLATION</b>	
<b>EFFECTIVE DATE:</b> November 8, 2001	<b>REVISION DATE:</b> December 7, 2010
<b>SUMMARY:</b> Policy to regulate the purchase of computers and accompanying accessories.	

#### **COMPUTER HARDWARE OR SOFTWARE PURCHASES:**

Purchases of computer related items must be approved and cleared with the IT (Information Technology) staff prior to making any purchases.

#### **PROOF OF LICENSE:**

Only IT staff may purchase or order software. Usually the Proof of License is a hologram on a paper or sticker. A purchase receipt/cancelled check/VISA is not evidence of a license. Proof of License is required for any software.

The Proof of License on an order from the Internet is sometimes an email with a license number or authorization code. DTS employees might have to do a screen print of the web page that showed the authorization code just before clicking the *download* button. All department software must have a Proof of License on file with the IT staff. Software without a Proof of License may have to be erased or another license purchased.

#### **INSTALLING PERSONAL SOFTWARE**

##### **Department Software Standards**

For commonly used categories of software (such as Word processing, Spreadsheets, Databases, etc) there is a single "Standard" for the Department. The IT department will support these standards by installing, debugging problems and answering questions relating to that software and its integration with the Operating System (OS) and LAN. Examples are Word, Excel, and Access.

Employees (with their director's approval) can use any software they choose and are not restricted to the standard. However, if they use software that is not one of the department standards, it is the employee's sole responsibility to install and maintain that software after it is purchased by DTS.

##### **Installing Software**

Users may install their own software under the following conditions:

- All license certificates should be given to the head of the IT staff in order to confirm the number of licenses the Department controls.
- The Department owns a legal license for installation on the PC.
- The division has their *own* copy of media (so if the user ruins or loses the media their division is responsible for replacing it).



- The user understands they must *only* load the software they are licensed for and that the IT staff will come and check it after it is installed (example: if they only have a license for Word they should not install the full version of MS-Office, even if it is on the CD.)
- Any problems arising from the user installing their own software will have a low priority and will not receive the prompt attention of the IT staff.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>03.05 LAN SYSTEM AND PRINTERS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> December 7, 2010
<b>SUMMARY:</b> User responsibility for filing and creating backups, printing jobs, what to do when the LAN system is down, and procedures for other computer concerns.	

#### **USER RESPONSIBILITY FOR FILING**

Monthly, each user should go through their computer files, delete or save to a disk all documents that are no longer needed, and file those that are needed for future reference. A few minutes spent filing could save the LAN from going down because of a lack of disk space.

#### **USER RESPONSIBILITY FOR CREATING BACKUPS**

The LAN system will be backed up daily. This does not take the place of individual backup. Each employee who logs into the network has been set up to have their hard drives backed up periodically, either daily, weekly, or monthly. This is an individual choice for the users. Employees may be exempted from this backup by having a "PC to LAN Backup Exemption" form filled out, signed by their Director, and on file with DTS.

- **Critical/Sensitive Information**

All back-ups containing critical and/or sensitive information must be stored at an approved off-site location with either physical access controls or encryption. A contingency plan must be prepared in writing for all applications that handle critical production information; it is the responsibility of the information Owner to make sure that this plan is adequately developed, regularly updated, and periodically tested.

#### **PRINTERS**

Each division has their own printers; users are encouraged to work together in coordinating the jobs to be printed. There is a black and white LaserJet and a Laserjet color printer in Administrative Services that may be used for large jobs or special print jobs. These jobs will be coordinated through the IT technical support individual.

#### **CONCERNS**

If an employee has any questions, concerns, or problems, they may report those to the Help Desk system, and the IT staff will be glad to help.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>03.06 STATE INFORMATION SECURITY CHARTER</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> December 7, 2010
<b>REFERENCE:</b> Division of Information Technology Services, Department of Administrative Services, State of Utah	
<b>SUMMARY:</b> Official State Document. Outlines security procedures and duties.	

#### **BUSINESS NEED FOR SECURITY**

State of Utah management has a fiduciary duty to preserve, improve, and account for state information and information systems, which are recognized as critical and important state assets. Management must ensure that information and information systems are properly protected from a variety of threats, including error, fraud, embezzlement, improper disclosure, sabotage, terrorism, extortion, industrial espionage, privacy violation, service interruption, and natural disaster.

#### **SCOPE OF THE POLICY**

All employees, contract/grantors, part-time and temporary workers, and those employed by others to perform work on company premises or granted access to company information or systems are covered by this policy. An employee must supervise any person not covered by this policy, at all times, while they are on the state's premises. Information regarding this policy and its implementation must be made available to all affected staff by the State of Utah manager responsible for the performance of that staff member.

#### **DUTIES OF THE STAFF RESPONSIBLE FOR SECURITY FUNCTIONS**

All employees, contract/grantors, temporary, and part-time workers are responsible for ensuring that company information assets are used only in proper pursuit of the state's business; information is not improperly disclosed, modified, or endangered; and access to state information resources is not made available to any unauthorized person.

The Chief Information Officer (CIO) is responsible for ensuring that appropriate security controls are in existence and in force throughout the State of Utah. IT security managers and administrators are responsible for ensuring that all enterprise authentication and authorization management systems are current and accurate. The State Information Security Committee (SISC) and associated agency security administrators and managers are responsible for determining methods of implementing and enforcing security policies, advising state information resource owners, and forming appropriate enterprise and agency specific security policies.

Application design and development staff members are responsible for ensuring that security policies are effectively and efficiently implemented. Applications should utilize appropriate State of Utah security infrastructure, and administer and implement security policy.

Any employee involved in selecting or purchasing computer system or application software is responsible for ensuring that State security policy can be effectively implemented for that system or application.

State of Utah management must evaluate all stored information, applications, and information systems to determine the appropriate controls required to protect the information asset on the basis of its criticality to the business, value to the State of Utah, and potential value to external entities. These evaluations will be documented and reviewed on an annual basis. In addition, DTS will conduct ongoing reviews of risks to state information and systems.

Each agency director will assign one or more managers the responsibility as information resource Owners. Information Owners are the Agency Managers, Executive Management, or their delegates within State of Utah who bear responsibility for the acquisition, development, and maintenance of production applications which process State of Utah information. All production application system information must have a designated Owner.

#### **VIOLATION REPORTING AND ESCALATION**

Any person covered by this policy is obligated to report apparent violations of this policy their agency's DTS Director, the Help Desk, or the State of Utah's Chief Security Officer (CSO) by phone or at the following web page <http://dts.utah.gov/security>.

#### **SCOPE OF CONTINGENCY AND DISASTER RECOVERY**

Inability to make use of information assets is as damaging to the State of Utah as destruction of that asset. A plan for continuing business operations while information assets are unusable because of natural or manmade disasters must be documented and tested annually for all information assets identified as critical by the appropriate agency resource owner. DTS is responsible for assisting in the creation of such plans and in managing the testing process.

#### **LEGAL OR REGULATORY REQUIREMENTS**

The State of Utah will comply with (National Computer Security Center), the arm of the U.S. National Security Agency that defines criteria for trusted computer products and will maintain C-2 criteria for trusted computer products in State of Utah data centers. Compliance with other standards such as Trusted Computer Systems Evaluation Criteria (TCSEC), and DOD Standard 5200.28 will also be maintained, based upon specific Federal agency security requirements.

All other security policies for the State of Utah will be pursuant to *Utah Code 63D-1-105, 63A-6-103 and 63-2 Part 2* and *Utah Administrative Rule R365-4 "Information Technology Protection,"* together with other specific security requirements located in agency statutes.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>03.07 INFORMATION SECURITY POLICY</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> December 7, 2010
<b>REFERENCE:</b> Division of Information Technology Services, Department of Administrative Services, State of Utah	
<b>SUMMARY:</b> Official State Document. Specifies the personnel responsibilities and procedures involved in information security.	

#### **ROLE OF INFORMATION AND INFORMATION SYSTEMS**

Information and information systems are critical and vitally important State of Utah assets. Without reliable and properly secured information and information systems, the State of Utah business processes would be irreparably harmed. Likewise, the preservation and enhancement of State of Utah's reputation is directly linked to the way in which both information and information systems are managed. Maintaining an adequate level of security is one of several important aspects of both information management and information systems management.

To be effective, information security must be a team effort involving the participation and support of every State of Utah employee who deals with information and/or information systems. In recognition of the need for teamwork, this policy statement clarifies the responsibilities of users as well as the steps they must take to help protect State of Utah information and information systems. This document describes ways to prevent and respond to a variety of threats to information and information systems including unauthorized access, disclosure, duplication, modification, appropriation, destruction, loss, misuse, and denial of use.

#### **INVOLVED PERSONS**

Provisions of this policy are generally applicable to all employees. Specific agency policies may be more restrictive than state policies. Every employee at State of Utah -- no matter what their status (employee, contract/grantor, consultant, temporary, etc.) -- must comply with the information security policies found in this and related information security documents. Employees who deliberately violate this and other information security policy statements will be subject to disciplinary action up to and including termination.

#### **INVOLVED SYSTEMS**

This policy applies to all computer and network systems owned by and/or administered by the Utah Department of Agriculture and Food. Similarly, this policy applies to all platforms (operating systems), all computer sizes (personal computers through mainframes), and all application systems (whether developed in-house or purchased from third parties). The policy covers only information handled via computers and/or networks. Although this document includes mention of other manifestations such as voice and paper, it does not directly address the security of information in these forms.

#### **PRIMARY AGENCIES WORKING ON INFORMATION SECURITY**

Guidance, direction, and authority for information security activities is centralized for all State of Utah executive agencies in the Division of Information Technology Services, *Utah Code 63A-6-103* and the Information Technology Act in *Utah Code 63D-1-105*. Provisions of the Government Records and Management Act (GRAMA) in Utah Code 63-2 Part 2 also impact state security policies. The Division of Information Technology Services is responsible for establishing and maintaining organization-wide information security policies, standards, guidelines, and procedures. Compliance checking to ensure that organizational units are operating in a manner consistent with these requirements is the responsibility of the agency security managers and auditors and the State Auditor in terms of overall compliance issues. Investigations of system intrusions and other information security incidents are the responsibility of the agency security managers in conjunction with DTS. Local managers working in conjunction with the Department of Human Resource Management (DHRM) handle disciplinary matters resulting from violations of information security policies.

#### DEFINITIONS OF TERMS

- **Department:** unless otherwise stated, refers to the Utah Department of Agriculture and Food (UDAF).
- **DTS:** Utah Department of Technologies Services
- **Employees:** unless otherwise stated refers to the employees of the Utah Department of Agriculture and Food.
- **Main Office:** refers to the Salt Lake City (main office of) the Utah Department of Agriculture and Food.
- **Off Hours:** Period outside of the main office's public office hours.
- **Portable Media:** any removable electronic means of storing information which can be temporarily plugged into a computer or network, i.e. discs, external hard drives, USB flash drives, electronic cameras, memory cards, etc.
- **Sensitive Information:** electronic or physical information containing any of the following:
  - **Birthdate** of an individual (month, day, and year)
  - **Full Financial account number** (includes credit or debit card numbers)  
Note: this does not include those instances where just the last 4 of several digits are shown.
  - **Password or PIN**
  - **Tax ID** (Social Security number or Federal Tax ID)  
Note: this is the definition for use in this policy. Further restrictions are outlined in state policies and rules.
- **State:** As in "state policies" or "the state" refers to the State of Utah.

### **THREE CATEGORIES OF RESPONSIBILITIES**

The State of Utah has identified three categories, at least one of which applies to each employee. These categories are Owner, Custodian, and User. These categories define general responsibilities with respect to information security.

#### **OWNER RESPONSIBILITIES**

Information Owners are the Agency Managers, Executive Management, or their delegates within State of Utah who bear responsibility for the acquisition, development, and maintenance of production applications which process State of Utah information. Production applications are computer programs, which regularly provide reports in support of decision-making and other business activities. All production application system information must have a designated Owner. For each type of information, Owners designate the relevant sensitivity (e.g., public, private or confidential), designate the appropriate level of criticality, define which users will be granted access, as well as approve requests for various ways in which the information will be utilized.

#### **CUSTODIAN RESPONSIBILITIES**

Custodians are in physical or logical possession of either State of Utah information or information that has been entrusted to State of Utah. While DTS staff members clearly are Custodians, local system administrators are also Custodians. Whenever information is maintained only on a personal computer, the User is necessarily also the Custodian. Each type of production application system information must have one or more designated Custodians. Custodians are responsible for safeguarding the information, including implementing access control systems to prevent inappropriate disclosure, and making backups so that critical information will not be lost. Custodians are also required to implement, operate, and maintain the security measures defined by information Owners.

#### **USER RESPONSIBILITIES**

Users are responsible for familiarizing themselves with and complying with all State of Utah policies, procedures, and standards dealing with information security. Questions about the appropriate handling of a specific type of information should be directed to either the Custodian or the Owner of the involved information. As information systems become increasingly integrated and distributed (through mobile computing, desktop computing, etc.), Users are increasingly placed in a position where they must handle information security matters that they did not handle previously. These systems force users to play security roles that they had not previously had to play.

Employees shall cooperate with DTS staff to assure that needed software patches and updates occur. When requested, employees shall report patch and update completions or error messages to DTS staff.

#### **CONSISTENT INFORMATION HANDLING**

State of Utah information, and information which has been entrusted to State of Utah, must be protected in a manner commensurate with its sensitivity and criticality. Security measures must be employed regardless of the media on which information is stored (paper, overhead transparency, computer bits, etc.), the systems, which process it (personal computers, firewalls, voice mail systems, etc.), or the methods by which it

is moved (electronic mail, face-to-face conversation, etc.). Information must also be consistently protected no matter what its stage in the life cycle from origination to destruction.

#### **NEED-TO-KNOW**

Access to information in the possession of, or under the control of State of Utah must be provided based on the need-to-know. In other words, information must be disclosed only to people who have a legitimate business need for the information. At the same time, employees must not withhold access to information when the Owner of the information in question instructs that it be shared. Employees must not attempt to access sensitive information unless the relevant Owner has granted them access rights. When an employee changes job duties (including termination, transfer, promotion and leave of absence) their supervisor must immediately notify agency DTS Management and the Department of Human Resource Management. The privileges granted to all employees will be periodically reviewed by information Owners and Custodians to ensure that only those with a need-to-know presently have access.

#### **USER-IDS AND PASSWORDS**

To implement the need-to-know process, the State of Utah insists that each employee accessing information systems have a unique user-ID and a private password. These user-IDs must then be employed to restrict system privileges based on job duties, project responsibilities, and other business activities. Each employee is personally responsible for the usage of their user-ID and password.

#### **ANONYMOUS USER-IDS**

With the exception of electronic bulletin boards, Internet web sites, Intranet Web sites, and other systems where all regular users are intended to be anonymous, users are prohibited from logging into any State of Utah system or network anonymously. Anonymous access might, for example, involve use of "guest" user-IDs. When users employ system commands that allow them to change active user-IDs to gain certain privileges, they must have initially logged-in employing user-IDs that clearly indicated their identities.

#### **PASSWORDS**

This relates only to those passwords controlled by the department such as an employee's LAN password, Windows password or GroupWise password. It does not include encryption pass phrases which are longer, more complex and are not required to be changed periodically.

- **DIFFICULT-TO-GUESS PASSWORDS**

To ensure that password systems do the job they were intended to do, users must choose passwords that are difficult-to-guess. This means that passwords must NOT be related to one's job or personal life. For example, a car license plate number, a spouse's name, or fragments of an address must not be used. This also means passwords must not be a word found in the dictionary or some other part of speech. For example, proper names, places, technical terms, and slang should not be used.

- **EASILY REMEMBERED PASSWORDS**



Users can choose easily remembered passwords that are at the same time difficult for unauthorized parties to guess if they:

- String several words together (the resulting passwords are also known as "pass phrases").
  - Shift a word up, down, left or right one row on the keyboard.
  - Bump characters in a word a certain number of letters up or down the alphabet.
  - Transform a regular word according to a specific method, such as making every other letter a number reflecting its position in the word.
  - Combine punctuation or numbers with a regular word.
  - Create acronyms from words in a song, a poem, or another known sequence of words.
  - Deliberately misspell a word (but not a common misspelling).
  - Combine several preferences, such as hours of sleep desired and favorite colors.
- **REPEATED PASSWORD PATTERNS**  
Users must not construct passwords with a basic sequence of characters that is then partially changed based on the date or some other predictable factor. For example, users must NOT employ passwords like "JAN01" in January, "FEB02" in February, etc. Additionally, users must not construct passwords that are identical or substantially similar to passwords they have previously employed.

- **PASSWORD CONSTRAINTS**

To make guessing more difficult, passwords shall contain at least 10 characters and including at least one each of the following character types: uppercase, lowercase, numeric, and symbol characters. Note: spaces may be used.

The same password shall never knowingly be reused on the same system.

To ensure that a compromised password is not misused on a long-term basis, passwords must also be changed every 90 days or at more frequent intervals. Whenever an employee suspects that a password has become known to another person, that password must immediately be changed.

- **PASSWORD STORAGE**

Passwords shall be kept in a secure location which is not accessible to unauthorized persons. They must not be written down in some readily decipherable form and left in a place where unauthorized persons might discover them. Example of secure locations: someone's memory, an encrypted file, a locked box.

Similarly passwords must not be stored in readable form in batch files, automatic login scripts, software macros, terminal function keys, in computers without access control systems, or in other locations where unauthorized persons might discover them.

- **PASSWORD VAULTS**

- An optional method for storing many passwords inside an encrypted file.
- Can be set up by DTS staff so that employees can safeguard state passwords.

- Allow a person to store many passwords in a highly encrypted file so that a single pass phrase, which is guarded closely, can be used to look up many other passwords.
- Can (optionally) be configured to use a special encrypted key file (which can be stored on a USB flash drive) in addition to a pass phrase.
- When creating a pass phrase for a password vault employees shall use at least 12 characters including at least one each of the following character types: uppercase, lowercase, numbers, and symbols. (Note: spaces may be used.) The password used to access such a password vault should be kept secure and is not subject to being changed periodically.
- Pass phrases for password vaults cannot be recovered and an employee using a password vault is solely responsible for safeguarding the pass phrase and the special key file (if one is used).
- The password vaults shall use software and methods approved by DTS.
- **SHARING PASSWORDS**  
If users need to share computer-resident data, they should use electronic mail, groupware databases, public directories on local area network servers, and other mechanisms. Although user-IDs are shared for electronic mail and other purposes, passwords must never be shared with or revealed to others. One exception to this involves expired passwords, which are received at the time a user-ID is issued; these passwords must be changed the first time that the authorized user accesses the system. To share a password (or for that matter any other access mechanism such as a dynamic password token) exposes the authorized user to responsibility for actions that the other party takes with the disclosed password. If an employee believes that someone else is using their user-ID and password, the employee must immediately report it as a security incident as specified under “Violation reporting and escalation” at the beginning of this section.
- **SCREEN-SAVER PASSWORDS**  
All employees shall use screen savers which require a password or other token (such as a fingerprint) to regain access to the computer. Such screen savers should be configured to activate within 15 minutes of inactivity and should follow department password complexity requirements. Employees are strongly encouraged to use the CTL+ALT+DELETE then ENTER keystrokes when they leave their desk in order to immediately lock their computer.

#### **COMPLIANCE STATEMENT**

All employees wishing to use State of Utah computer systems must sign a compliance statement prior to being issued a user-ID (See APPENDIX A.01). Where users already have user-IDs, such signatures must be obtained prior to receiving renewed user-IDs. A signature on this compliance statement indicates the involved user understands and agrees to abide by State of Utah policies and procedures related to computers and networks (including the instructions contained in this policy).

Employees shall complete the department security policy training when hired and annually thereafter. Each employee shall physically or electronically sign an

agreement to comply with the department security policies after each training session. This training is in addition to any security training required by the State of Utah or federal agencies.

#### **RELEASE OF INFORMATION TO THIRD PARTIES**

Unless it has specifically been designated as public, all State of Utah internal information must be protected from disclosure to third parties. Third parties may be given access to State of Utah internal information only when a demonstrable need-to-know exists, and when such a disclosure has been expressly authorized by the relevant State of Utah information Owner. If sensitive information is lost, is disclosed to unauthorized parties, or is suspected of being lost or disclosed to unauthorized parties, the information Owner and DTS Management must both be notified immediately.

Employees shall not transmit sensitive information via email or other electronic means unless it is properly encrypted using DTS approved encryption tools. Employees should remember that state email and other electronic transmissions sometimes pass through public communication networks on its way to the recipient and could be monitored by non-state personnel. [Also see policy 5000-1700.3.3.5]

#### **THIRD PARTY REQUESTS FOR STATE OF UTAH INFORMATION**

Requests for information are subject to the provisions of the Government Records and Management Act (GRAMA). Unless an employee has been authorized by the information Owner to make public disclosures, all requests for information about State of Utah and its business must be referred to the information Owner. Custodians of information may not release information to any third party without the express permission of the information Owner.

#### **PHYSICAL SECURITY TO CONTROL INFORMATION ACCESS**

Access to every office, computer room, and other State of Utah work area containing sensitive information must be physically restricted to those with a need-to-know. When not in use, sensitive information must always be protected from unauthorized disclosure.

Before leaving their work area each employee shall secure all of the following which may contain sensitive information. Information storage, methods for accessing data, information technology which contains data storage, and physical documents. When securing their work area employees should consider physical keys, badges, or other means used to secure data. Portable computing devices and external storage shall be considered secure, for the purpose of protecting sensitive information, if is encrypted using DTS approved methods.

Employees must explicitly coordinate with another employee having equivalent security access to monitor their area while they are away.

#### **DISPOSAL OF INFORMATION OR INFORMATION TECHNOLOGY**

Employees shall follow the established procedure for proper decommissioning, transfer, or disposal of information based on its security classification. Transfer refers

to department-to-department or employee-to-employee within this department. [Also see policy 5000-1700.3.5]

#### **Disposal Based on Security Classification**

- Sensitive documents shall be shredded or rendered unreadable
- Information technology shall be turned over to DTS for cleaning, disposal, or transfer unless DTS handling is not required by policy or rule (as in disposing of non-state equipment). When not required to be turned over to DTS, the department employee disposing of or transferring the information or information technology device shall be responsible to render the information it contains unrecoverable as per State of Utah I.T. standards.
- Access devices, when no longer required or when employment is terminated, shall be turned in to their supervisor or the supervisor's designee. Examples of access devices are brass keys, card-keys, badges, etc.

#### **ENCRYPTION METHODS AND SOFTWARE**

State information and media that is encrypted shall be encrypted using software and methods approved by DTS. This is to assure compatibility, reduce costs, and allow recoverability.

#### **INTERNAL NETWORK CONNECTIONS**

All State of Utah computers that store sensitive information and that are permanently or intermittently connected to internal computer networks must have a password-based access control system approved by the Division of Information Technology Services. Regardless of the network connections, all stand-alone computers handling sensitive information must also employ an approved password-based access control system. Computer users are required to employ screen saver passwords as outlined under the paragraph "Screen Saver Passwords" in this section.

#### **EXTERNAL NETWORK CONNECTIONS**

All in-bound session connections to State of Utah computers from external networks (Internet, public dial-up lines, etc.) must be protected with an approved password access control system. Users with personal computers connected to external networks are prohibited from leaving unattended modems turned-on while data communications software is enabled. In general terms, State of Utah employees must not establish connections with external networks (including Internet Service Providers) unless the agency DTS Management and/or DTS has approved these connections.

#### **NETWORK CHANGES**

Changes to State of Utah internal networks include loading new communications software, changing network addresses, reconfiguring routers, adding dial-up lines, and the like. With the exception of emergency situations, all changes to State of Utah computer networks must be: (a) documented in a work order request, and (b) approved in advance by the DTS. Emergency changes to State of Utah networks must only be made by persons who are authorized by the DTS. This process prevents unexpected changes inadvertently leading to denial of service, unauthorized disclosure of information, and other related problems. This process applies not only to "employees" as defined in the Scope section of this policy, but also to vendor personnel.

## **TELECOMMUTING**

At management's discretion, certain qualified employees can do some of their work at home. Permission to telecommute is granted by each employee's immediate supervisor. Continued permission to telecommute is partially dependent on continued compliance with a number of information security policies and standards; for further information on these requirements, see the State Telecommuting Policy. Periodic checking of electronic mail while on the road or from home is not considered telecommuting, but does require that employees follow many of the same security precautions.

## **INTERNET ACCESS**

Employees are generally provided with Internet access to perform their job duties, but this access may be terminated at any time at the discretion of an employee's supervisor. Internet access is filtered to assist employees to not visit web sites unrelated to their jobs, and also to ensure that they continue to be in compliance with security policies. Employees must take special care to ensure that they do not represent State of Utah on Internet discussion groups and in other public forums, unless they have previously received management authorization to act in this capacity. Separately, employees must not place State of Utah material (software, internal memos, databases, etc.) on any publicly accessible computer system such as the Internet unless the posting has first been approved by the information Owner.

- **Email**

The State owned email service provided to employees is for business use only. All emails sent via the State system may be monitored. Employees are recommended to subscribe to a private email service for all personal emails.

- **Music and Videos**

Listening to music or viewing non-business related videos over the web is against the State Acceptable Use Policy, and will also seriously slow down the network. Storing personal music or videos on the network or a portion of a networked computer which is backed up impacts the network and its backups and is an added expense to state. Official disciplinary action will be taken against violators.

## **COMPUTER VIRUS SCREENING**

Viruses and malware can spread by many vectors, not just by program files. The symptoms of virus infection include much slower computer response time, inexplicable loss of files, changed modification dates for files, increased file sizes, and total failure of personal computers and servers. To assure continued uninterrupted service for both computers and networks, all users of state owned computers must keep the current versions of DTS approved virus protection software enabled on their computers. This software must be used to scan all software and data files coming from either third parties or other State of Utah groups. This scanning must take place before new data files are opened and before new software is executed. Employees must not bypass or turn-off the scanning processes which could arrest the transmission of computer viruses.

## **COMPUTER VIRUS ERADICATION**

If employees suspect infection by a computer virus, they must immediately stop using the involved computer and call their agency Help Desk. Removable media and other storage media used with the infected computer must not be used with any other computer until the virus has been successfully eradicated.

#### **CLEAN BACK-UPS**

To assist with the post-virus-infection restoration of normal computer activities, all computer software must be copied prior to its initial usage, and such copies must be stored in a secure location. These master copies must not be used for ordinary business activities, but must be reserved for recovery from computer virus infections, drive failures, and other computer problems.

#### **SOFTWARE SOURCES**

Other computers and web sites may be the source of worms and Trojan horses. Worms are much like viruses, but do not attach themselves to other programs. Trojan horses are unauthorized programs hidden within authorized programs. To prevent problems with viruses, worms, and Trojan horses, State of Utah computers and networks must not run software that comes from sources other than (a) other State of Utah departments, (b) knowledgeable and trusted user groups, (c) well-known systems security authorities, (d) established computer or network vendors, or (e) established commercial software vendors. Software down-loaded from electronic bulletin boards, shareware, public domain software, and other software from un-trusted sources should not be used without approval and prior testing from agency DTS staff.

#### **WRITTEN SPECIFICATIONS FOR OWNERS**

All application projects for new applications or significant enhancements must have a written specification. This specification must include discussion of both security risks and controls (including access control systems and contingency plans). The specification must be part of an agreement between the involved information Owner and the system developer. Macros in spreadsheets, word processing documents, and the like are not considered software for purposes of this paragraph.

#### **SECURITY SIGN-OFF REQUIRED**

Before being used for production processing, new or substantially changed application systems must have received written approval from agency DTS Management.

#### **FORMAL CHANGE CONTROL**

All computer and communications systems used for production processing at the State of Utah must employ a documented change control process, which is used to ensure that only authorized changes are made. This change control procedure must be used for all significant changes to production system software, hardware, communications links, and procedures. This policy applies to personal computers running production systems, just as it applies to servers.

#### **SYSTEMS DEVELOPMENT CONVENTIONS**

All production software development and software maintenance activities must subscribe to agency and/or DTS policies, standards, procedures, and other systems development conventions.

#### **ADEQUATE LICENSES**

The State of Utah provides a sufficient number of licensed copies of software such that employees can get their work done in an expedient and effective manner. State of Utah management must make appropriate arrangements with the involved vendors for additional licensed copies, if and when additional copies are needed for business activities. To ensure compatibility with State of Utah networks and computers, and to allow licenses to be centrally managed, all software must be purchased through DTS using approved state contract/grants.

#### **UNAUTHORIZED COPYING**

Users must not copy software provided by State of Utah to any storage media (floppy disk, magnetic tape, etc.), transfer such software to another computer, or disclose such software to outside parties without advance permission from DTS Staff who will be responsible to verify that the agency or State of Utah possesses the appropriate license. Ordinary back-up copies are an authorized exception to this policy.

#### **BACK-UP RESPONSIBILITY**

To protect State of Utah's information resources from loss or damage, individual computer users are responsible for regularly backing-up the information on their computers, or else making sure that someone else is doing this for them. For server based computer and communication systems, a Systems Administrator is responsible for making periodic back-ups. If requested, DTS will install, or provide technical assistance for the installation of back-up hardware and/or software. All back-ups containing critical and/or sensitive information must be stored at an approved off-site location with either physical access controls or encryption. A contingency plan must be prepared for all applications that handle critical production information; it is the responsibility of the information Owner to make sure that this plan is adequately developed, regularly updated, and periodically tested.

#### **THEFT PROTECTION**

All portable State of Utah computers, network equipment, and external storage media which is located in a public area must be either physically secured with anti-theft devices (like locking cables), in use by an employee, or monitored by fellow employees with similar clearances whenever the area is open to the public. Network servers and other multi-user systems must be placed in locked cabinets, locked closets, or locked computer rooms. Computer and network devices may not be removed from State of Utah offices unless the involved person has first signed an IT Equipment Transfer form and it is filed with DTS. For portable computers and computer equipment issued to employees whose work location is outside the main UDAF office this is typically done when the equipment is issued. Pagers and cellular phones are not subject to these requirements.

#### **EXTERNAL DISCLOSURE OF SECURITY INFORMATION**

Information about security measures for State of Utah computer and network systems is confidential and must not be released to people who are not authorized users of the involved systems unless the permission of DTS Management has first been obtained. Public disclosure of electronic mail addresses is permissible.

#### **RIGHTS TO MATERIAL DEVELOPED**

While performing services for State of Utah, employees grant to the State of Utah exclusive rights to patents, copyrights, inventions, or other intellectual property they originate and/or develop. All programs and documentation generated by, or provided by employees for the benefit of State of Utah are the property of State of Utah. State of Utah asserts the legal ownership of the contents of all information systems under its control (subject to prior claims such as copyrighted software licensed from third parties). State of Utah accordingly reserves the right to access and use this information at its discretion.

#### **RIGHT TO SEARCH AND MONITOR**

To ensure compliance with State of Utah internal policies as well as applicable laws and regulations, and to ensure employee safety, State of Utah management reserves the rights to monitor, inspect, and/or search at any time all State of Utah information systems. This examination may take place with or without the consent, presence, or knowledge of the involved employees. The information systems subject to such examination include, but are not limited to, electronic mail system files, personal computer hard drive files, voicemail files, printer spool files, and other electronic storage devices. All searches of this nature will be conducted after the approval of appropriate agency management, and/or legal counsel. Since the State of Utah's computers and networks are provided for business purposes only, employees should have no expectation of privacy associated with the information they store in or send through these information systems. State of Utah management additionally retains the right to remove from its information systems any material it views as offensive or potentially illegal subject to the current Acceptable Use Policy.

All IT devices that are or have been connected to the state network may be inspected by DTS. [Policy 5000-1700.3.2]

Employees and contractors should not bring personal or non-state owned information technology equipment to the workplace or connect them to the state's secured information technology systems unless expressly permitted to do so by DTS.

*“Any information technology device, including an image recording device, brought onto Department premises may be subject to inspection by Department of Technology Services personnel at any time. Device inspection may include a detailed review of any file, information asset, or data storage media installed or connected to the information technology device in question.”* [Policy 5000-1700.3.2]

#### **Portable Media**



- Employees should be aware any portable media which is connected to a state computer or state network might be automatically copied, backed up, encrypted using state encryption methodology, or become public information. Some examples of portable media are: Diskette, CD, DVD, Memory card, Camera memory card, Flash drive, External drive, etc.
- State owned portable media should be properly handled to assure compliance with all state policies. Sensitive information shall not be stored on portable media unless it is encrypted using DTS approved encryption methods.
- Employees shall not use personal media devices to store sensitive state information.

#### **PERSONAL USE**

State of Utah information systems are to be used for business purposes only. Incidental personal use is permissible if the use (a) does not consume substantial resources that could otherwise be used for business purposes, (b) does not interfere with employee productivity, and (c) does not preempt any business activity. Permissible incidental use of an electronic mail system would, for example, involve sending a message to schedule a luncheon. Other types of personal use require the permission of an agency supervisor. Use of State of Utah information systems for chain letters, charitable solicitations, political campaign material, religious work, and any other non-business use are prohibited. All other provisions of what constitutes acceptable use are addressed in the Acceptable Use Policy.

#### **UNBECOMING CONDUCT**

State of Utah management reserves the right to revoke the system privileges of any user at any time. Conduct that interferes with the normal and proper operation of State of Utah information systems, which adversely affects the ability of others to use these information systems, or which is harmful or offensive to others, including all pornographic sites, will not be permitted.

#### **SECURITY COMPROMISE TOOLS**

Unless specifically authorized by the DTS Management, State of Utah employees must not acquire, possess, trade, or use hardware or software tools that could be employed to evaluate or compromise information systems security. Examples of such tools include those, which defeat software copy protection, discover secret passwords, identify security vulnerabilities, or decrypt encrypted files without using the encryption password. Similarly, without this type of approval, employees are prohibited from using "sniffers" or any other hardware or software, which monitors the traffic on a network or the activity on a computer unless, authorized to do so as a part of their employment responsibilities.

#### **PROHIBITED ACTIVITIES**

Users must not test, or attempt to compromise computer or communication system security measures unless specifically approved in advance and in writing by agency DTS Management. Incidents involving unapproved system cracking (hacking), password cracking (guessing), file decryption, bootleg software copying, or similar unauthorized attempts to compromise security measures may be unlawful, and will be considered serious violations of State of Utah internal policy. Likewise, short-cuts

bypassing systems security measures, as well as pranks and practical jokes involving the compromise of systems security measures are absolutely prohibited.

#### **MANDATORY REPORTING**

All suspected policy violations, system intrusions, virus infestations, and other conditions, which might jeopardize State of Utah information or State of Utah information systems must be immediately reported as specified in the “Violation reporting and escalation” paragraph near the beginning of this section (03.07 Information Security Policy).

#### **FAILURE TO COMPLY**

Employees who fail to comply with this policy may be disciplined according to rule R477-11.

Management personnel who are aware that their employee is not following this policy and fail to take action may also be disciplined according to rule R477-11.

**Reference the following documents:**

State Information Security Charter

**UTAH CODE**

63-F-1-205 “Approval of acquisitions of information technology”

**UTAH ADMINISTRATIVE RULES**

R365-4 “Information Technology Protection”

R365-3 “Computer Software Licensing, Copyright, and Control”

Policy for Limiting Access to Inappropriate Web Sites

Privacy Policy – State Web Sites,

State Telecommuting Policy.

R895-001 Access to records

R895-003 Software licensing

R895-005 Acquiring information technology

R895-007 Acceptable use of IT resources [also 1000-0003]

R895-008 State and agency privacy policies

**DTS POLICIES**

**1000-0003 Acceptable Use of Information Technology Resources**

5000-0001 Decommissioning storage devices

5000-1250 Computer incident reporting

**5000-1700 Information protection**

5000-1701 Confidential information policy and agreement

5110-0002 Information asset security classification

**EXECUTIVE ORDERS**

2001 Executive order to develop and implement security policies

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>04.01 CLAIMS AGAINST THE STATE</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> All claims, suits, or similar papers served upon an entity will be processed as follows.	

#### **NOTICES OF CLAIM**

- All Notices of Claim received by a governmental entity (agency) must be entered in a permanent log showing date, hour and by who received. The original will then be sent to the Litigation Division, which will forward a copy to the Risk Management Division or return the original to the entity or agency if not covered by the Risk Management Fund.
- All Notices of Claim received by any person in the Attorney General's Office will be forwarded immediately to the Litigation Division for logging in and further handling.

#### **SUMMONS, COMPLAINTS AND PROCESS**

All summons, complaint, or other process served on an entity (agency) or received by any person in the Attorney General's Office will be forwarded immediately to the Litigation Division, which will either respond or, if not covered by the Risk Management Fund, will refer the process to the appropriate entity counsel in time for response.

- **Requests for Waivers of Notice Requirements, Statutes of Limitations, and Similar Inquiries**
  - All such requests shall be referred to the Litigation Division for response.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>04.02 COMMENTS ON FEDERAL LAWS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Details on the program and procedures to handle correspondence to government officials.	

#### **A-95 PROGRAM**

The Governor has established an A-95 Program through the State Planning Office to coordinate all correspondence with legislators, senators, or other government officials giving input on existing or proposed legislation or rules. The procedure in no way limits our input on legislation or rules but rather coordinates the state's effort.

#### **CORRESPONDENCE PROCEDURES**

All correspondence to Federal personnel regarding laws or rule7s must be channeled through the Division Director to the Commissioner, then on to the State Planning Office. Any letters submitted shall be in final form, signed, and an envelope attached to facilitate mailing.

#### **SIGNING**

Each director should make the decision as to who should sign the letter of comment, i.e. Governor, Commissioner, Director, or staff. This decision should be based on the importance of the issues involved.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>04.03 CONTRACT/GRANTS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> December 7, 2010
<b>SUMMARY:</b> Procedures for initiating, fulfilling, and recording contract/grants.	

#### **DEVELOPMENT**

- The division initiating the contract/grant should draft the initial contract/grant outlining the basic concepts to be covered; this draft should then be submitted to the contract/grant coordinator for further review to assure consistency with Department policy, compliance with state laws, etc.
- When the contract/grant has been written and is satisfactory to all concerned it will be the responsibility of the initiating Division Director to make all contact with the outside contract/granting party including obtaining the signature of the contract/granting party outside the department. Following receipt of the contract/grant with the other party's signature, the contract/grant coordinator will then obtain other necessary signatures.
- After all signatures are affixed, the officer will send signed copies to the other involved parties and others within the division as they deem necessary.
- An original signed copy will be kept in the official contract/grant files within the Administrative Services Division as the official department copy. A copy of all documents affecting the contract/grant (quarterly reports, copies of warrants, billings, etc.) will be filed in the official file.

#### **CONTRACT/GRANT OBLIGATIONS**

- An original signed copy will be kept in the official contract/grant files within the Administrative Services Division as the official department copy. A copy of all documents affecting the contract/grant (quarterly reports, copies of warrants, billings, etc.) will be filed in the official file.
- Division Directors are responsible to follow through on the terms and conditions of the contract/grant. However, the contract/grant coordinator will track the contract/grants to be aware of the terms and conditions and to prepare memos to the division directors when actions need to be taken. However, primary responsibility for compliance with contract/grant terms rests with the directors or designee.
- Divisions will be notified two months in advance of any contract/grants which will expire and will be asked to indicate disposition (renew, cancel, etc.). The contract/grant coordinator will assist in the renewal as time permits.
- IT acquisitions or maintenance contracts shall be processed through the DTS contracts office as per Utah Code 63-F-1-205.

<p align="center"><b>DEPARTMENT OF AGRICULTURE AND FOOD</b></p> <p align="center">04.04 CORRESPONDENCE WITH OTHER AGENCIES; REQUESTING ATTORNEY GENERAL'S OPINION</p>	
<p><b>EFFECTIVE DATE:</b> November 1, 2000</p>	<p><b>REVISION DATE:</b> July 1, 2004</p>
<p><b>SUMMARY:</b> All claims, suits, or similar papers served upon an entity will be processed as follows.</p>	

#### **CORRESPONDENCE WITH OTHER AGENCIES**

All correspondence to the governor or his assistants, or to the director or Commissioner of any other Utah State agency, should be cleared with the Commissioner. This keeps the Commissioner apprized of happenings within the department and eliminates embarrassing situations, should the governor or director call for clarification or further discussion of matters. A copy notation to the Commissioner should be shown on the letter, letting the recipient know the Commissioner is apprized of the situation.

#### **ATTORNEY GENERAL'S OPINION**

- Requests for formal Attorney General's opinions should be made in writing by the Commissioner only.
- Other contacts or requests for verbal advice or written memorandums from the Attorney General's office should be approved by the Division Director.
- A file of all requests for formal opinions and responses will be kept by the Commissioner.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>04.05 GRIEVANCE POLICY</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Official procedures for addressing and resolving grievances.	

- It is the policy of the State of Utah and the UDAF to provide a fair, formal, and prompt means of settling employment disputes without coercion, restraint, or reprisal. Every effort should be made to find an acceptable solution by informal means at the lowest possible level. Aggrieved employees shall first attempt to resolve a grievance through discussion with the immediate supervisor.
- Copies of the State Employee's Grievance Procedure Bulletin can be obtained from the Human Resource Office or from the Career Review Service Board WEB site <http://csrb.utah.gov/> This bulletin outlines the State grievance procedures.
- In keeping with the department's centralized personnel system, copies of all grievances should be sent to the Human Resource Management Department. The Human Resource Management Staff is assigned the responsibility of objectively counseling both the grievant and supervisors on proper procedures of the grievance process.



DEPARTMENT OF AGRICULTURE AND FOOD	
04.06 LAWS AND RULES	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Procedures for adopting departmental rules including requests, hearings, and publication.	

#### **PROMULGATION**

All rules must be promulgated in accordance with the Administrative Rule-making Act (Title 63, Chapter 46a) and its accompanying rules (R-2 Administrative Rules).

#### **PROCEDURES FOR ADOPTING AN ADMINISTRATIVE RULE FOR THE DEPARTMENT**

##### **Origination**

Rules will originate at a division level and will follow the format set up by Department of Administrative Rules (DAR). Rules cannot exceed the intent of the law; each rule must state the legal authority to promulgate rules on the subject matter covered.

##### **Preparation**

Preparation should be done by the individual divisions. All laws and rules now in use by the department are on the internet. The rule coordinator will request the most current documents from DAR if you wish to make corrections, additions, etc.

##### **Administrative Rules Hearings**

- In compliance with UCA 63-46a, amended in 1998, and department policy, agencies may hold hearings voluntarily on proposed rules before filing or during the comment period. Federal regulations and other state statutes may also require hearings for some agencies. The Rule-Making Act only requires a hearing if ten persons, or an association with at least ten members, requests it in writing. If the agency receives the request more than 15 days after publication of the proposed rule in the **Bulletin**, the hearing is not required, but if for no other reason than good public relations, an agency may waive this limit. A requested hearing must be held no less than seven days after and within 30 days of receipt of the request. **The hearing must be held before the rule becomes effective.**
- Voluntary hearings are publicized by notice on the rule analysis form in the Bulletin, and by any other method the agency chooses. Required hearings under the Rule-Making Act do not require further notice, although an agency may opt to provide it.
- The Division Director shall preside at all hearings of rules.
- The Division Director or their assignee shall be responsible for the following:
  - Setting the date and arranging the location for the hearing.

- Giving notice as provided herein.
- Providing a recorder for minute-taking.
- Preparing a final draft of rules for submission to DAR.
- Notify the ADA Coordinator (Director of Administrative Services) three days prior to the hearing of individuals needing special accommodations (including auxiliary communicative aids and services) that might be needed to be in compliance with the Americans with Disabilities Act.

**Final Adoption**

Final adoption will be sent to DAR by the rule coordinator and will be final 30 days after publication in the bulletin.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>04.07 RULES AND ADJUDICATIVE HEARINGS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Policies and Procedures for Adjudicative Hearings, as well as Public and Agency Rules Hearings.	

#### **ADJUDICATIVE HEARINGS**

Adjudicative hearings are governed by the Utah Administrative Procedures Act, Title 3 Chapter 46b and will follow procedures as outlined in R51-2.

#### **RULES HEARINGS**

Re: 63-46a-5 Utah Code (Public Hearings)

R2-1-4 Utah State Agencies' Administrative Rule Hearings

#### **Public Hearings**

- Each agency may hold a public hearing on a proposed rule, amendment to a rule, or repeal of a rule during the public comment period.
- Each agency shall hold a public hearing on a proposed rule, amendment to a rule, or repeal of a rule if:
  - A public hearing is required by state or federal mandate.
  - Another state agency, ten interested persons, or an interested association having not fewer than ten members request a public hearing and the agency receives the request in writing not more than 15 days after the publication date of the proposed rule.
- The agency shall hold the hearing:
  - Before the rule becomes effective; and
  - No less than seven days nor more than 30 days after receipt of the request for a hearing.

#### **When Agencies Hold Rules Hearings**

- Agencies shall hold rule hearings as required by Section 63-46a-5.
- Agencies may hold rules hearings:
  - During the public comment period on a proposed rule, after its publication in the bulletin, and prior to its effective date.
  - Before initiating rule making procedures under Chapter 46a, Title 63 to promote public input prior to a rule's publication.
  - During a regular or extraordinary meeting of a state board, council, or commission in order to avoid separate and additional meetings.

- To hear any public petition for a rules change as provided by Section 63-46a-12.
- Voluntary rules hearings, as described in this section, follow the procedures prescribed by this rule or any other procedures the agency may provide by rule.
- Mandatory rules hearings, as described in this section, follow the procedures prescribed by this rule and any additional requirements of state or federal law.
- If an agency holds a mandatory rules hearing under the procedures of this rule during the public comment period, no second hearing is required for the purpose of comment on the same rule or change considered at the first hearing.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>05.01 ADVISORY BOARDS/COMMITTEES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Responsibilities of the Division Director for conducting advisory boards and committees. Monthly Director's Meeting procedures.	

#### **DIVISION DIRECTOR RESPONSIBILITIES**

All advisory boards/committees are assigned to the Division Director who is affected by the board/committee. The individual Division Director will take the following responsibilities, even though the Commissioner may be the chairman of that committee.

- Be aware of and comply with the requirements (minimum number of meetings, etc.) and duties assigned to the board or committee by law.
- The Administrative Assistant and/or executive secretary will maintain an up-to-date record of board/committee members, including appointments and expiration dates.
- Notify Commissioner and personnel technician clerk 60 days in advance of all necessary changes or re-appointments of board/committee members. Members who are to receive per diem and travel must be placed on payroll by the clerk. A copy of appointment letter and a completed W-4 form should be given to the personnel technician.
- Notify chairman of necessary meetings. In cases where the Commissioner is chairman, this should be done by writing a letter of notification of the meeting for the Commissioner's signature. Members should receive notification of the meeting at least one week in advance.
- Make all physical arrangements for the meeting, including conference room reservation, secretary, tape recorder, etc.
- Prepare proper forms for reimbursement of committee member's expenses incurred, i.e., travel reimbursement form, meeting attendance form, or FI 40B Private Vehicle Reimbursement.
- Send minutes of meeting to members as soon as possible after meeting.

#### **DIRECTOR'S MEETING**

Every month or as needed, Division Directors will meet with the Commissioner to review items of common interest and concern. Regular individual section and division staff meetings are highly encouraged.

DEPARTMENT OF AGRICULTURE AND FOOD	
05.02 BUILDING USE	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> March 16, 2009
<b>SUMMARY:</b> Procedures for reserving and using building during work hours or on weekends.	

#### CONDITIONS

Agricultural organizations using the Agriculture building during work hours or on weekends may do so under the following conditions:

- All reservations for use of rooms in the building should be cleared through Administrative Services (receptionist) to assure availability of space.
- An employee of the UDAF must be present to open the building, remain during the meeting, and be responsible for securing the building following the meeting.
- If arrangements cannot be made to have an employee present, an employee of the building security force must open the building, remain during the meeting, and secure the building at the close of the meeting. **The group involved will be charged for any and all security services expenses.**
- All users need to be responsible for the setup and cleanup of the conference rooms and equipment used.
- **Off-Hour Use of Main Office Building**  
When the front doors are open to the public, there shall be an employee at the front desk to check State Employee IDs, sign in visitors and issue visitor passes.

A division hosting off hour meetings shall be responsible for building security, including obtaining appropriate approval for off hour building access, providing an employee at the reception desk, monitoring the attendees, monitoring the areas accessible by attendees, and securing the building after the meeting.

- **Off Hour Main Office Building Access**  
Employees who enter the building during off hours and expect to leave before normal work hours shall sign a log when they arrive and sign out on that log when they leave. This process will allow employees to know when another employee is in the building during off hours.

Employees shall turn off the alarm when they arrive (if it is on).

The last employee to leave the building on non-work days shall check the log to make sure no one else is in the building and then set the alarm.

- **Main Office Building Alarm Access Code**  
The security access code for the building alarm shall be changed annually. The code shall only be given out by the employee's Director or those persons who are

authorized to issue badges. The code shall only be given out to those whose badge allows off hours access. The code shall be determined by the agency executive director or his designee.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>05.03 CONFERENCE ROOM SCHEDULING</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Procedures for scheduling and preparing conference rooms and equipment involved.	

#### **SCHEDULING MAIN CONFERENCE ROOM**

When the main conference room is scheduled, either for a department function or for one of the groups you are associated with, the involved division employee should take responsibility for the following:

- Use of the room must be scheduled with the receptionist.
- The following equipment is available for use and should be scheduled in advance by calling 538-7100. **DO NOT LEAVE EQUIPMENT UNATTENDED.**
  - 35 MM slide projector
  - Podium/microphone
  - Sound system (with staff supervision)
  - Overhead projector
  - LCD Projector
  - DVD Player and VCR
- A large projector screen is located in the room as well as a whiteboard with markers.
- The dividing partition should be closed if the entire room is not going to be used.
- "Conference in Session" signs located next to each door should be used.
- Tables and chairs may be arranged as preferred. The entire room will seat approximately 90 people.
- Smoking is not allowed in the building.
- Users should come prepared with needed items and supplies such as handouts, pencils, etc. Building employees are not available to make copies or to provide supplies, services, etc. If copies are needed, machines are available for use. There may be a charge for the copies.
- The lunchroom is available (located next to the conference room). This is equipped with pop machines. Consideration should be shown when using the facilities, such as cleaning up, etc.
- When the meeting is over, employees should make certain the room is cleared of all items from the meeting, such as handouts, pop bottles, papers, brochures, etc.



- Agricultural affiliated organizations using the building after 5:00 p.m. must have a full-time employee on the premises, who will be responsible for those using the building.
- In compliance with the Americans with Disabilities Act (ADA), individuals needing special accommodations (including auxiliary communicative aids and services) during a meeting should notify the ADA Coordinator (Human Resource Office), 350 N. Redwood Road, SLC, UT 84116, 538-7100, at least three working days prior to the meeting.
- **UDAF** meetings will take precedence over other scheduled meetings and may displace non-UDAF meetings if State requirements so dictate.

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>05.04 MEALS FOR DEPARTMENT MEETINGS</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Procedures for providing and ordering meals for use during departmental meetings.	

#### **MEALS PROVIDED**

Meals may be provided for official department meetings with prior approval when all of the following conditions exist:

- The meeting is one of the official department designated advisory or policy boards; or the meeting is one called by the Commissioner where non-state employees are invited in to review issues facing the department with no per diem or compensation offered.
- The meeting time schedule will span the lunch/dinner hour.
- The majority of the individuals are non-state employees.
- Meetings which do not meet all of the above criteria must be approved by the Commissioner/Deputy Commissioner or designee prior to obtaining meals.

#### **ORDERING MEALS**

In ordering meals, the procedures are:

- Get prior approval where necessary (i.e. if it does not comply with the above).
- Call an authorized establishment (or anyone else) who will invoice in advance and place order if more than ten meals are to be ordered.
- Sign for meals and bring invoice back to department.
- Have appropriate director approve invoice, indicating unit and proper coding, and submit to the Accounts Payable Clerk for processing if using a purchasing card to make purchase, insure documentation is provided with the monthly purchasing card logs. It is important that ORIGINAL invoices be provided for payment.

DEPARTMENT OF AGRICULTURE AND FOOD	
05.05 SECURITY	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Building and computer security as applies to personnel and visitors.	

#### **BUILDING SECURITY**

- The building will be locked from **6:00 P.M. until 7:00 A.M. (Mon-Thu)**, as well as on weekends and holidays.
- Directors will request permanent or temporary keys for those employees requiring building access with approval by the Commissioner or designee. **Authorization forms** can be obtained through the DTS staff.
- **Chemistry Laboratory** area is closed 24 hours a day. Access to the lab will be restricted to chemistry staff and authorized administrative personnel.
- All visitors must sign in and out at the reception desk. The receptionist will contact the division to let them know they have a visitor.
- Employees are encouraged to have their state I.D. cards visible at all times, especially when using the building after normal office hours.
- The Division of Facilities, Construction and Management Office (DFCM) will contract for all building security. Contractor provides security monitoring several times daily.

#### **COMPUTER SECURITY**

- Access to the department LAN system requires approval by the Division Director. The DTS Staff will process the request once all proper signatures are acquired.
- Employees shall follow the policy and procedures for changing passwords as required.
- Access to other systems will require processing through the security designee in the Administrative Services Division.

DEPARTMENT OF AGRICULTURE AND FOOD	
06.01 CONFERENCES - TRAVEL	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Travel Conferences: requesting and receiving approval, monetary reimbursement, time compensation, etc.	

#### **IN-STATE CONFERENCE APPROVAL**

##### **Registration Fee**

When an in-state conference has a registration fee attached to it, these registration fees can be reimbursed only with PRIOR approval from the Administrative Services Division and must be supported by a proper receipt when requesting reimbursement.

##### **Send Requests**

Attach a copy of the conference program to all requests for approval and send in memo form to the Administrative Services Division. Send at least 10 working days before the conference.

##### **\*Reimbursement of Meals**

The basic meal allowance for a 24 hour period of travel is computed as follows:

Breakfast	\$8.00
Lunch	\$11.00
Dinner	\$16.00

The meal reimbursement is determined by the time of day the traveler leaves his "home base" (the location the employee leaves from and returns to), the days spent at the travel destination, and the time of day when returning to the "home base." Tips and tax on meals are included in the per diem amount.

*\* These reimbursements rates are correct as of 7-1-2007– please refer to Finance Policies and Procedures or <http://finance.utah.gov/main/> or for the most up to date information.*

##### **Allowances for Non-Overnight Trips**

An employee may be entitled to meals when they do not stay away from their "home-based office" overnight under the following conditions:

- Breakfast – when the individual leaves for their destination which is at least 100 miles from the "home-based office" and leaves before 6:00 a.m.
- Lunch – meets one of the following conditions:
  - Trip warrants entitlement to breakfast and dinner meals.
  - Per Diem for lunch receives pre-approval from the department director.
  - Destination is at least 100 miles from the "home-base."
- Dinner – when the individual leaves their destination to return home, and the destination is at least 100 miles from the "home base" and arrival time home is after 7:00 p.m.

“Home Base” is the place (home or workplace) from which the employee leaves or returns.

Per Diem covers the meal, tax, and tip.

**Per Diem will not be paid:**

When meals are included in registration fee or are complimentary.

**Lodging –In State**

Agency makes own arrangements for:

- Conference hotels = Actual costs + tax
- Non-Conference Hotel rates refer to State Travel Policy
- Exceptions will be allowed for unusual circumstances when approved in writing by the Commissioner or designee **prior to the trip.**

**OUT-OF-STATE TRAVEL REQUESTS**

When an employee finds it necessary to travel out-of-state on official business, the following procedures should be followed:

- All airline reservations must be made by the division secretary or designee.
- Complete form FI-05 “Request for Out-of-State Travel,” and attach an agenda for the conference.
- The FI-05 should be initialed by the director showing her/his approval.
- The appropriate signatures should be obtained prior to sending form to Finance.

**Out-of-State Functions**

The Director of Finance must approve all travel to out-of-state functions where more than two employees from the same department are attending the same function at the same time. Request approval in a memo explaining the reason for more than two persons attending the function and the total costs associated with the trip. Send the memo to the Director of Finance. The memo will be returned following approval and should then be attached to the Travel Reimbursement Request.

**Compensatory Time**

No compensatory time will be given for hours spent on non-working days or hours beyond the 8-hour day while traveling to or attending an out-of-state conference. Compensatory time may be earned for overtime hours for out-of-state travel when the meeting is a "working" meeting called to discuss or solve a specific problem (not a semi-annual or annual meeting where problems are also solved).

- **Out-of-State Lodging - refer to state travel policy**
- **Lodging Receipt**

An original receipt for lodging accommodations must accompany each request for reimbursement. A proper receipt is a copy of the registration form generally used by motels and hotels.

- **Exceptions**

Exceptions will be allowed for unusual circumstances when approved in writing by the Department Director or designee **prior to the trip.**

- **Allowance rate for meals**

The basic meal allowance for a 24 hour period of travel, to be computed as follows:

Breakfast	\$10.00
Lunch	\$13.00
Dinner	\$20.00

The meal reimbursement is determined by the time of day the traveler leaves his "home- base" (the location the employee leaves from and/or returns to), the days at the location, and the time of day he returns to his "home-base."

Tips and tax on meals are included in the per diem amount.

## **REIMBURSEMENT FOR EXPENSES**

### **Procedures**

- Rules will be observed. Directors and employees should be familiar with the guidelines.
- All FI-40 "Private Vehicle Usage Report" and FI-51 "Travel Reimbursement Request" forms must be approved by the Director of the Division for those employees in his area before being processed. Directors must have reimbursement claims for their own expenses approved by the Commissioner or designee.
- Requests for Use of Private Automobile for trips over 100 miles in distance must be approved in advance. See Motor Pool, Private Car Usage Procedures.
- Requests for reimbursement on Form FI-40 must be submitted to the payroll clerk five working days before the end of the pay period. This form must be used to claim reimbursement for all mileage.

### **Paymentech Corporate Cards**

Travelers, who have been issued Paymentech Corporate cards, may charge their expenses or pay for room expenses with these cards. Send in receipts with a Travel Reimbursement Form to department within 30 days of travel. The employees' personal account will be reimbursed. Employee is responsible to pay the Paymentech bill in FULL upon receipt of the monthly statement.

### **Forms**

Employees must submit the appropriate travel reimbursement form. These forms must have the traveler's original signature verifying the expenditures.

### **Electronic Ticketing**

If you have questions, please call the State Travel Office.

**Groups—Gatherings refer to state policies and procedures FIACCT 04-11-00**

<b>DEPARTMENT OF AGRICULTURE AND FOOD</b> <b>06.02 CORPORATE TRAVEL ACCOUNT (CTA)</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Procedures for applying for and using a Corporate Travel Account to purchase airline tickets.	

#### **PURPOSE**

The purpose of a CTA account is to provide an easier method for departments and divisions to charge and pay for **AIRLINE TICKETS**. The charges are accumulated into a single monthly American Express bill in the name of the department or division and a single warrant request can be used to pay the monthly bill for all travelers. This CTA account will reduce the problems associated with having to make airline reservations 30 days or more in advance of the travel. The account fees normally charged by American Express have been waived for the State.

#### **AIRLINE TRAVEL ONLY**

State departments or divisions may request a CTA for state employees to use for airline travel on State business. No other types of travel expenses may be charged to this account.

#### **BILL**

The participating department or division receives a monthly CTA account bill directly from American Express. The bill may be paid using a single warrant request.

#### **INSURANCE**

Employees traveling by air that use the CTA account will be covered by \$150,000 travel accident insurance and \$1,250 baggage insurance.

#### **SUB-ACCOUNTS**

Each account is established in the name of the department or division but up to 99 sub-accounts can be used and assigned to specific individuals, divisions, or sections.

#### **APPLICATION FORMS**

Application forms must be signed by the Director of Finance. The cover letter accompanying the application must be signed by the department or Division Director.

#### **EXTRA CHARGES**

Agencies using the CTA account must pay the total account balance each month in order to avoid interest charges or late fees.

#### **PROBLEMS**

Agencies experiencing any difficulties with the account should contact the Division of Finance.



DEPARTMENT OF AGRICULTURE	
07.01 AUTHORIZED PASSENGERS AND VEHICLE OPERATORS	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Definitions of authorized passengers and drivers of state vehicles.	

#### **DEFINITION OF AUTHORIZED PASSENGER**

An authorized passenger is defined as a state officer, employee, or individuals on official state business. Examples of individuals on official state business may include citizens requiring assistance, authorized volunteers, other law enforcement officers, etc. Family members and friends who have received written approval by the Commissioner to be a passenger are also authorized. The Commissioner may delegate authority for passenger approval. Written approval must be received in advance. See APPENDIX B.04.

#### **DEFINITION OF AUTHORIZED DRIVER**

An authorized driver is a current state officer or employee, who holds a valid license to operate the type of motor vehicle or for the intended use of the motor vehicle and is cognizant of all state laws and regulations concerning vehicle use. An authorized driver must have a policy acknowledgement form in their employee file. See APPENDIX B.01.

#### **Volunteers**

UDAF volunteers may operate a state vehicle if they meet the same policy criteria as a state employee and have written authorization from the division director.

Please refer to Rule R27-3. Vehicle Use Standards

Fleet rules:

<http://fleet.utah.gov/main/index.php?module=Pagesetter&func=viewpub&tid=1&pid=62>

EFFECTIVE JUNE 1, 2007

<p style="text-align: center;"><b>DEPARTMENT OF AGRICULTURE</b>  <b>07.02 COMMUTE POLICY AND PROCEDURE</b></p>	
<p><b>EFFECTIVE DATE:</b> November 1, 2000</p>	<p><b>REVISION DATE:</b> July 1, 2004</p>
<p><b>SUMMARY:</b> The purpose of this rule is to establish criteria by which authority to commute in a state vehicle may be authorized. The intent of requiring certain state employees to commute is to create a benefit to the state, which is clearly of greater value to the state than the associated cost of the commute. Commute authority may not be used as a means of providing a fringe benefit to employees, except for specific positions enumerated in Section 67-22-2 and Sections 3.4.2 and 3.6 in the Policies and Procedures Manual of the state Board of Regents.</p>	

#### **POLICY AUTHORITY**

This rule is established pursuant to Subsection 41-7-7 (1), which requires the executive director of the Department of Administrative Services to make rules that provide for the effective, safe, and economical use of state vehicles.

#### **POLICY DEFINITIONS**

- “Commute” means travel between an employee’s home and place of work more often than five times per month. Commute includes travel to any work site closer to an employee’s home than the principal place of assignment.
- “Department” means the Department of Administrative Services.
- “Employee” means any person who is paid on the state payroll system or is acting as an agent of the state in a volunteer position.
- “On call” –as designated by internal department procedures and consistent with DHRM rule 477-8-6. (8)(c).

#### **APPLICATION FOR COMMUTE**

Application for commute (MP-2 form) shall be submitted to the respective Division Director. After evaluating the request, if the Division Director believes that the commute falls within the standards of this policy, they will submit the request to the Commissioner or Deputy Commissioner of the UDAF. If the Commissioner or Deputy Commissioner approves the request, it will be forwarded to the executive director of the Department of Administrative Services on the specified form for approval. Approvals will be renewed on an annual basis. Forms may be obtained from the Director of the Department of Administrative Services.

#### **APPROVAL FOR COMMUTE**

Approval for commute must qualify under one or more of the following criteria:

- The commute is authorized by state statute as a form of compensation.
- The commute is for a public safety position whose function is defined under **07.02 ACCOUNTING AND TAXATION** listed below, whose vehicle is specially equipped for that function, and who is designated as being “on-call” consistent with DHRM

rule 477-8-4. Non-public safety personnel providing administrative oversight are not approved.

- The commute is for a non-public safety position designated as being “on call” according to DHRM rule 477-8-4(8) (8) (e), whose vehicle is specially equipped for that function, and where it can be clearly demonstrated that the nature of the potential emergency is such that the incremental response time, if a commute is not authorized, could endanger life or property of significant value.
- The commute is for an employee who works out of their vehicle most of the time and has no need to begin the day by reporting to a central office, and when denial of the commute would materially decrease the amount of time available for field work. In no circumstance when an employee lives near an office location such as a regional office would a commute be justified.
- The alternative of paying mileage reimbursement for business use of a personal car (with reasonable modifications made to support communication and equipment storage) is not a viable option.
- Any exceptions to the above must be approved in writing by the agency submitting the request and by the executive director of the Department of Administrative Services.

#### **PENALTY FOR UNAUTHORIZED COMMUTE**

An employee found in violation of the commute policy will be subject to discipline under DHRM rule 47-11-1, which includes **discipline ranging from a written reprimand to termination of employment.**

#### **ACCOUNTING AND TAXATION**

As provided in IRS Code, the commute is generally considered a taxable fringe benefit. The IRS-set value of the fringe benefit is stated in the Division of Finance policy. The only exceptions to the accounting and taxation requirements are to law enforcement officers who are:

- “Responsible for the prevention or investigation of crime;”
- “Authorized to carry firearms, execute search warrants, and make arrests;”
- “Regularly carry firearms;” and
- On 24-hour call.

#### **SHELTER OF VEHICLE**

Where practical, off-street shelter security must be provided for the vehicle by the commuter.

#### **DEPARTMENTAL DOCUMENTATION**

Commutes of a regularity of less than five times a month will not be required to submit an MP-2, DF-36 or DF-48 form. However, each division will be responsible for documenting authorization of these commutes. Commutes of less than five times a month must still qualify under the guidelines of the policy outlined above and authorization must be verifiable.

DEPARTMENT OF AGRICULTURE	
07.03 EMPLOYEE RESPONSIBILITY FOR VEHICLE CARE AND MAINTENANCE	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> Reporting of maintenance problems, vehicle abuse, inspection, registration, and identification.	

#### **VEHICLE ABUSE**

Drivers should note any maintenance problems and inform state fleet management as soon as possible. If a vehicle is damaged due to abuse, the appropriate using division will be charged for the amount of the repairs. If an employee neglects a vehicle, including not informing their immediate supervisor of possible damage due to a maintenance problem, the using division will be charged for the cost of repairs.

#### **MAINTENANCE**

Divisions will ensure that oil and oil filter changes are performed every 3,000 miles on all assigned vehicles and that other preventive maintenance functions are performed according to the service schedule included in the owner's manual and/or the service schedule provided by the fleet management.

#### **INSPECTION AND REGISTRATION**

Each division is responsible for making sure that each vehicle receives an annual safety inspection, and, where applicable, an annual emissions inspection. Inspections must be done within the 90-day period before the expiration date on the registration.

#### **VEHICLE IDENTIFICATION MARKING**

As required by state fleet management.

REFERENCE RULE R27-8. STATE VEHICLE MAINTENANCE PROGRAM.

As in effect on June 1, 2007

<b>DEPARTMENT OF AGRICULTURE</b> <b>07.04 MINIMUM REQUIREMENTS FOR OPERATION OF A VEHICLE</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Requirements for employees driving State vehicles, to be reviewed annually and for new hires.	

#### **ANNUALLY REVIEWED REQUIREMENTS**

The following will be reviewed by the Human Resource office at the time of hire and then annually:

- An appropriate and valid Utah operator's license.
- No more than two moving violations on the operator's license within the past 24 months.
- No more than one preventable accident in a State vehicle within the past 24 months.
- No driving under the influence of alcohol (DUI) or controlled substance violations are allowed within the past three (3) years on the operator's record.

#### **UNMET REQUIREMENTS**

If a prospective employee is required to drive a vehicle as part of the job and fails one or more of the above criteria they will not be considered for employment. The prospective employee must supply a legal driving record for a 24-month period prior to hire and for no violation for a DUI for three (3) years. If an employee has a DUI in a personal vehicle, the restrictions placed on that person for the operation of state equipment would apply. If the person is unable to perform their work as a result of the DUI, they may be referred to the Employee Assistance Program and expected to follow treatment. A **second** DUI within three (3) years may result in termination.

#### **NEW HIRES**

In addition, the following must be completed by new hires:

- Defensive driving certification must be obtained within three months after hire and also re-certify **every** two (2) years.
- To be eligible to drive a state vehicle, an employee must have Division Director approval and a signed copy of the Employee Statement on file.

DEPARTMENT OF AGRICULTURE	
07.05 REVOKING USE OF A STATE VEHICLE	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2004
<b>SUMMARY:</b> Negligent or dangerous conduct may result in a termination of state vehicle usage rights.	

#### **GROSS OR WILLFUL NEGLIGENCE**

UDAF may revoke use of a state vehicle and seek full reimbursement from the employee for a loss occurring as a result of gross or willful negligence by employee entrusted for the care, custody and control of a state vehicle. Gross or willful negligence shall be deemed to have occurred in the following events, **whether or not** the employee was operating the vehicle:

- Was under the influence of drugs, alcohol, or other substance, or is convicted of driving while intoxicated or under the influence of a drug or other substance.
- Is convicted of reckless driving.
- Has impaired ability to operate the vehicle by reason of taking narcotics or a controlled substance or is knowingly involved in the manufacture, transportation, possession, sale, or use of narcotics or any other controlled substance.
- Operates the vehicle in an unsafe condition and employee has had prior notice of the condition and has failed to correct it.
- Operates a vehicle without valid driver's license.
- Leaves the scene of an accident without making required reports of such occurrence to the appropriate law enforcement authorities, fails to cooperate with such authorities, or otherwise fails to comply with applicable laws relating to accident reporting.
- Has shown evidence of incompetence or disregard for the safety or personal property of others.
- Used the car for any purpose in violation of federal, state, local laws, or any related policy.

#### **VEHICLE REPLACEMENTS**

The general rule for the point at which a vehicle is scheduled for replacement is 80,000 miles. Vehicles, which are experiencing excessive repairs or are involved in severe service operations under low mileage conditions, may be considered for replacement before 80,000 miles. Although vehicle replacements of like for like units require no special authorization, divisions should re-evaluate the optimum means of vehicle deployment and make reductions where feasible.

#### **FLEET EXPANSION DEFINITION**

Fleet expansion is defined as the requirement for addition of a vehicle due to a workload increase for a period exceeding nine continuous months of operation. Vehicles dispatched as "seasonal" or "temporary" must be returned to the state fleet within nine months for sale to state surplus.

#### **FLEET EXPANSION REQUESTS AND APPROVALS**

All fleet expansion requests must be submitted on the Appendix B.02 form and approved by the respective division director and the UDAF commissioner. All fleet expansions receive final approval or disapproval through the Utah Department of Agriculture & Food appropriations committee.



<b>DEPARTMENT OF AGRICULTURE</b> <b>07.06 SAFETY POLICIES AND PROCEDURES</b>	
<b>EFFECTIVE DATE:</b> November 1, 2000	<b>REVISION DATE:</b> July 1, 2007
<b>SUMMARY:</b> The safety of UDAF employees and the general public is of primary importance to management. The department motor vehicle safety program provides training, safety audits, accident reviews and proper specification of equipment. A primary goal is to accomplish the diverse operating objectives of the divisions with no vehicular accidents.	

#### **DEFINITION OF TERMS**

**Accident**—an accident is any vehicular occurrence.

#### **CATEGORIZATION OF OCCURRENCE**

Each occurrence will be classified into one of the two categories outlined below:

- Non-preventable accident.
- Preventable accident.

#### **UDAF ACCIDENT REVIEW COMMITTEE**

- The purpose of the Accident Review Committee is to discuss possible ways to minimize risks associated with all operations and evaluate each event that may have occurred during the proceeding time period. The committee will meet quarterly to review all accidents and determine if the occurrences were preventable or non-preventable. The review committee consists of four representatives from a division. The employee assigned to this committee should have had no accident/incidents or moving violations over the past two years.
- The UDAF Accident Review Coordinator will schedule and chair the meetings, prepare agendas, keep minutes, and follow-up on action items. The Committee will report their findings to the Commissioner at least annually.

#### **ACCIDENT REPORTING**

Employees are required to report all job-related vehicular accidents to Directors, Fleet Services, and the UDAF Accident Review Coordinator within a 24 hour period following the event, when practical. The initial report shall be reported to the supervisor and then may be communicated through a tele-accident report (see APPENDIX B.05). The written and on-line reports must be completed and are due no later than six working days after the occurrence.

#### **CORRECTIVE/DISCIPLINARY ACTION**

The Division Directors will apply corrective/disciplinary action consistently across each division within the department. The Division Director may appeal the ruling of the accident review committee to the commissioner. The following schedule of actions will be accumulated over a 36-month period. Accidents which occurred more than 24 months prior will be excluded when determining corrective/disciplinary actions. All corrective/disciplinary actions will be recorded in the employee's file

after the Division Director and employee have been notified in writing, the directed employee has had time to respond, and the process has been completed. Seasonal employees may be subject to discharge after a single preventable accident. The UDAF accident review committee will make recommendations to the respective Division Director after reviewing the circumstances of the occurrence. The following progressive corrective/ disciplinary actions will be applied to non-seasonal employees:

- **Preventable Accident**

- In the event that an accident is determined by the ARC to be preventable, the ARC shall impose and enforce the following:
  1. The authorized driver shall be required to attend a Risk Management-approved driver safety program after being involved in the first preventable accident;
  2. The driver shall be required to attend, at their own expense, a state certified or nationally recognized defensive driving course after being involved in a second preventable accident;
  3. The driver may have his or her authority to operate a state vehicle suspended or revoked, if he or she is involved in a third preventable accident within five calendar years of being involved in the first preventable accident;
  4. An employee whose authority to operate a state vehicle has been suspended or revoked pursuant to R27-7-3(3) and (4), may petition the DPRB for a review of the agency ARC's determination. The suspension of state driving privileges shall continue until such time as a formal hearing before the DPRB can be held, and a decision rendered. The provisions of the DPRB's decision, including the revocation of the driver's authority to drive a vehicle in the conduct of state business, will govern from that time forward.

- **Failure to Report an Accident**

- Failure to report a job related accident to the Division Director, Fleet Services, or the UDAF accident review coordinator within 24 hours after the event may result in a letter of reprimand or other disciplinary action. The accident review coordinator will review extenuating circumstances, which prevented the employee from reporting within 24 hours. A phone listing for reporting of accidents will be provided in each vehicle's accident reporting kit.
- **Failure to file a written report of an accident within 10 working days of the accident may result in termination.**

- **Driving Under the Influence of Drugs or Alcohol**

- Any employee found operating a state motor vehicle under the influence of drugs or alcohol will be subject to immediate termination.
- Refer to DHRM rule R477-14—Substance Abuse and Drug-Free Workplace and R27-3-5 (d) Unauthorized Use of a State Vehicle. It is not permitted to transport any illegal controlled substances in a state vehicle.

**SAFETY BELTS**

All occupants of the vehicle will use safety belts. The driver should make certain that all passengers have secured their safety belts prior to moving the vehicle. State employees failing to use safety belts will be subject to disciplinary action.

**SPEED LIMITS**

- Employees are required to operate vehicles within the established speed limits. Employees should not operate vehicles so as to impede the steady flow of traffic. Employees issued a citation and found guilty of speeding in a state vehicle will receive a written reprimand.
- Refer to Rule R27-7. Safety and Loss Prevention of State Vehicles.

**APPENDIX A.01**  
**UTAH DEPARTMENT OF AGRICULTURE AND FOOD**  
**AGREEMENT TO COMPLY WITH INFORMATION SECURITY POLICIES**

A signed paper copy of this form must be submitted to DTS staff with all requests for (1) authorization of a new user state computer account. The annual agreement to comply with UDAF information security policies may be a signed hardcopy of this form or electronic acceptance by the employee after they have authenticated themselves via a network or web site application. Submission of this agreement fulfills the requirement that the employee annually agrees to comply with UDAF information security policies and allows DTS staff to keep the employee's state computer accounts active.

Modifications to the terms and conditions of this agreement will not be accepted.

User Printed Name: \_\_\_\_\_

User Agency Name: \_\_\_\_\_

User Telephone Number: \_\_\_\_\_

User's Office Physical Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, the user, agree to take all reasonable precautions to assure that State of Utah internal information, or information which has been entrusted to the State of Utah by third parties (such as clients, or vendors), will not be disclosed to unauthorized persons. At the end of my employment or contract/grant with the State of Utah, I agree to return to The State of Utah all information to which I have had access in order to do my job. I understand that I am not authorized to use this information for my own purposes, nor am I at liberty to provide this information to third parties without the express written consent of the internal State of Utah manager who is the designated information owner.

I have access to a copy of the State of Utah Information Security Policies and the Utah Department of Agriculture and Food Information Security Policies, I have read and understand these materials, and I understand how they impact my job. As a condition of continued employment at The State of Utah, I agree to abide by these information security policies. I understand that non-compliance will be cause for disciplinary action up to and including system privilege revocation, dismissal from The State of Utah, as well as criminal or civil penalties.

I agree to choose a difficult-to-guess password as described in the afore mentioned Information Security policies, I agree not to share this password with others, and I agree not to write the password down for others to obtain unless it has been transformed in an unrecognizable way.

I also agree to promptly report all violations or suspected violations of information security policies to the Help Desk, Agriculture's DTS Director, or the Enterprise Information Security Office.

User Signature: \_\_\_\_\_ Date: \_\_\_\_\_

APPENDIX B.01

**UTAH DEPARTMENT OF AGRICULTURE & FOOD  
EMPLOYEE STATEMENT**

I have read and fully understand the information contained in the Department of Utah Department of Agriculture & Food (UDAF) Motor Vehicle Operations Policy and Procedures Guide. I hold valid operator's license number \_\_\_\_\_ issued by the state of Utah, expiring \_\_\_\_\_. This license is restricted Yes \_\_\_ No \_\_\_. If yes, I have explained such restriction in an attached letter. I hereby authorize UDAF to obtain a transcript of my driving record from any State Motor Vehicle Department. During the three year period preceding the date of this application, I have \_\_\_ have not \_\_\_ been convicted of driving under the influence of alcohol, amphetamines or narcotic drugs. Over the past two years I have \_\_\_ have not \_\_\_ been involved in a preventable accident resulting in damage to any property, including my own, or bodily injury or death while operating a motor vehicle, or been involved in a moving traffic violation as a result of operating any motorized vehicle. (If you have, supply details on the reverse side.) I AM AWARE THAT ASSIGNED UDAF VEHICLES MAY ONLY BE DRIVEN BY QUALIFIED AND AUTHORIZED EMPLOYEES AND THAT PERSONAL USE OF VEHICLES INCLUDING UNAUTHORIZED COMMUTING OR TRANSPORTING UNAUTHORIZED PERSONEL IS NOT PERMITTED.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Division Director

\_\_\_\_\_  
Date

☐ Approve

☐ Disapprove

APPENDIX B.02

**UTAH DEPARTMENT OF AGRICULTURE & FOOD  
FLEET EXPANSION REQUEST**

Date\_\_\_\_\_

Division\_\_\_\_\_

Organization Code\_\_\_\_\_

Position the Vehicle will be assigned to: \_\_\_\_\_

Type Vehicle Requested: \_\_\_\_\_

Initial Purchase Funded With (%): General Funds\_\_\_ Federal Funds\_\_\_ Restricted\_\_\_  
Dedicated Credits\_\_\_ Other (Specify)\_\_\_\_\_

Anticipated Annual Mileage\_\_\_\_\_

Commute Requested? Yes\_\_\_ No\_\_\_

Workload Expansion Due To:

Reasons why the employee cannot use a personal vehicle with mileage reimbursement:

Justification:

**DIVISION**

**DIRECTOR**\_\_\_\_\_ **COMMISSIONER**\_\_\_\_\_

## **GUIDE FOR DRIVERS INVOLVED IN MOTOR VEHICLE ACCIDENTS**

- 1) Exchange information with the other driver, including addresses, phone numbers, license plates and insurance companies. Don't rely on a police report. Police reports may be incomplete, inaccurate or even unwritten if the accident does not fall within prescribed police parameters.
- 2) Don't be in a hurry to leave the accident scene without the fullest possible information. Make every effort to have a police report filed. If police cannot come to the accident location, go to the nearest police station and file a desk or bench report.
- 3) Don't say too much. You will probably be under some emotional pressure and may say things which could be legally damaging.
- 4) Look around for witnesses. Ask: "Did you see this accident? Can I have your name and phone number?" Request a business card or other identification.
- 5) Make notes, draw diagrams but more importantly, photograph the scene, if possible.
- 6) Report the accident as soon as possible while all of the details are fresh in your mind.
- 7) Do not admit fault; do not sign any insurance company agreements or releases or make settlements on your own without consulting with the UDAF Safety Coordinator.

Tele-accident Taken By:

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**APPENDIX B.04**

**UTAH DEPARTMENT OF AGRICULTURE & FOOD  
REQUEST TO TRANSPORT  
PASSENGERS**

Date Of Request:

Employees Name\_\_\_\_\_

Division\_\_\_\_\_

Names And Addresses of Non-state Employees Traveling In The State Vehicle:

1)

2)

3)

4)

5)

6)

Travel Itinerary:

Explanation Of Request For Non-State Employee As A Passenger In A State Vehicle:

\_\_\_\_\_  
Division Director Approval

\_\_\_\_\_  
Date

\_\_\_\_\_  
Commission Approval (Or Designee)

\_\_\_\_\_  
Date



**Appendix B.05**

**STATE VEHICLE TELE-ACCIDENT/INCIDENT REPORT**  
**24 HOUR TURN AROUND**

1. Date/Time of Accident: \_\_\_\_\_
2. Location of Accident:  
County \_\_\_\_\_ City \_\_\_\_\_
3. Vehicle/Driver Involved:  
Division Name & Address \_\_\_\_\_  
Year/Make of Vehicle \_\_\_\_\_  
Vehicle Number \_\_\_\_\_  
Vehicle License Number \_\_\_\_\_  
Drivers Name \_\_\_\_\_  
Drivers License Number \_\_\_\_\_
4. Was Accident Investigated by Police? Yes\_\_ No\_\_  
Which Police Department? \_\_\_\_\_  
Was anyone charged with a violation? You\_\_ Other Driver\_\_ No Citation\_\_  
If applicable, what was the charge? \_\_\_\_\_  
Person(s) injured and nature of injuries \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Describe the nature and circumstances of the accident:

## Appendix C.01

### Employee Cellular Phone Agreement

As a user of a state-owned cellular telephone, I agree to the following conditions:

1. The cellular telephone shall be used for official Utah Department of Agriculture and Food (UDAF) business. Personal use, if any, shall be limited to infrequent, incidental and/or emergency use. I agree to reimburse UDAF for any unjustified personal use (incoming and/or outgoing personal cellular telephone calls) by reviewing the monthly bill, highlighting any personal call time, and submitting the appropriate reimbursement amount to the Division of Administrative Services on a monthly basis.
2. I understand that I am responsible for the appropriate use and safekeeping of the cellular telephone. In the event of loss or damage to the cellular telephone, I am personally responsible for the cost of replacement or repair unless I can demonstrate that I have exercised reasonable care to protect the cellular telephone.
3. I have read and I understand the UDAF Cellular Telephone Policy and I agree to the terms and conditions outlined in the policy.

I certify that the following telephone information is correct:

Cellular telephone user: \_\_\_\_\_

User work location: \_\_\_\_\_

Cellular telephone number: \_\_\_\_\_

Cellular telephone serial number: \_\_\_\_\_

(Or other identifying number)

This cellular phone is: ☐ assigned to one employee  
☐ assigned to more than one employee

\_\_\_\_\_  
Signature of Cellular Telephone User

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Division Cellular Telephone Coordinator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Division Director

\_\_\_\_\_  
Date

## Appendix C.02

# Employee Cellular Phone Reimbursement Examples

The following examples are intended to assist in the application and calculation of reimbursement amounts to either UDAF or the employee for use of cellular telephones as stated in 03.03 Cellular Phones of the UDAF Policies and Procedures. Examples # 1 relate to actual cost rate. Examples #2 relate to monthly minimum rate cost plans.

## Personal Cellular Phone Used for UDAF Business

- Example 1. Actual cost of UDAF cellular on personal phone plus roaming charges.

Total amount of UDAF regular calls (Highlighted ) on bill.	\$ 8.49
Total amount of UDAF roaming calls (Highlighted ) on bill.	<u>\$ 7.67</u>
Total amount UDAF will reimburse to employee	\$16.16

- Example 2. Percentage of UDAF use of total calling plan by whole minutes.

Total amount of calling plan	\$35.89
Total plan minutes	300
Total (Highlighted) UDAF minutes	23

Calculation: (UDAF minutes/total plan minutes) X 100 = percent of UDAF minutes  
 $(23/300) \times 100 = 7.6\%$

(Total amount of calling plan) X (percent of UDAF minutes) = amount UDAF will pay employee for use of personal cellular phone.  
 $\$35.89 \times .076 = \$2.73$

## UDAF Cellular Phone Used for Personal Business

- Example 1. Actual cost of personal cellular on UDAF phone plus roaming

Total amount of personal regular calls (Highlighted ) on bill.	\$ 4.16
Total amount of personal roaming calls (Highlighted ) on bill.	<u>\$ 2.10</u>
Total amount employee will reimburse to UDAF	\$ 6.26

- Example 2. Percentage of personal use of total calling plan by whole minutes.

Total amount of calling plan	\$35.89
Total plan minutes	300
Total (Highlighted) personal minutes	23
Total charges in excess of calling plan amount	\$18.50

Calculation: (personal minutes/total plan minutes) X 100 = percent of personal minutes  
 $(23/300) \times 100 = 7.6\%$

(Total amount of calling plan) X (percent of personal minutes) = amount employee will pay UDAF for use of personal cellular phone under the plan.  
 $\$35.89 \times .076 = \$2.73$ .

PLUS, total charges in excess of calling plan amount = \$18.50  
 Grand total employee will pay to UDAF =  $\$2.73 + \$18.50 = \$21.23$

## Appendix D.01

### Utah Department of Agriculture & Food Conflict of Interest Clearance Form

CONFIDENTIAL INFORMATION: Information disclosed herein is for confidential administrative use only and will not be discussed outside of the chain of command. Signatures attest reading and understanding of Utah Department of Agriculture & Food policy, DHRM R477-9, and U.C.A. 67-16-1 et.seq.

---

#### **Section I – Employee**

I, \_\_\_\_\_, hereby declare that I am involved in the following activity (employment, membership, business venture, etc.) which I feel does not constitute a conflict of interest for the reason(s) indicated:

Where possible conflicts of interest may exist, I will take the following steps to insure that no conflict occurs:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

#### **Section II – Supervisor**

I have read the above and ☐ agree that it appears no conflict of interest exists.  
☐ disagree

Comments or restrictions assuring such a conflict cannot occur:

\_\_\_\_\_  
Immediate Supervisor

\_\_\_\_\_  
Date

---

#### **Section III – Division Director**

I have read the above and ☐ agree that it appears no conflict of interest exists.  
☐ disagree

Comments or restrictions assuring such a conflict cannot occur:

\_\_\_\_\_  
Division Director

\_\_\_\_\_  
Date

---

#### **Section III – Deputy Commissioner**

I have read the above and ☐ agree that it appears no conflict of interest exists.  
☐ disagree

Comments or restrictions assuring such a conflict cannot occur:

\_\_\_\_\_  
Deputy Commissioner

\_\_\_\_\_  
Date

Original: Employee's File  
Copy: HR Field Office

Effective Date: 6/20/2011



# UTAH DEPARTMENT OF AGRICULTURE AND FOOD

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